

REPRESSING DISSENT

PRO-DEMOCRACY ACTIVISTS ON TRIAL IN SYRIA

“We only agreed to achieve a gradual and peaceful democratic change, not to exploit external influence and not to undermine our national sovereignty and independence.”

DR FEDA'A AL-HORANI, PRESIDENT OF THE DAMASCUS DECLARATION FOR DEMOCRATIC NATIONAL CHANGE, DECEMBER 2007

Feda'a al-Horani and 11 other pro-democracy activists, all Syrian nationals, are being tried before the Damascus Criminal Court. The charges that they face include “weakening national sentiment” and they could face up to 15 years’ imprisonment if convicted. They were detained after participating in a public meeting in December 2007 to elect the leadership of the Damascus Declaration for Democratic National Change (DDDNC), an opposition coalition that calls for peaceful, democratic reform and respect for human rights.

Feda'a al-Horani (pictured, top left) is held at Douma prison for women near Damascus; the other 11, all men, are detained at 'Adra prison, also near Damascus. Initially they were detained incommunicado for up to two months. They are being



The 12 pro-democracy activists detained by the Syrian authorities.

held in poor conditions and at least eight of them were subjected to torture and other ill-treatment, including beatings, during interrogation.

Amnesty International considers all 12 to be prisoners of conscience detained solely for peacefully exercising their rights to freedom of expression and to freedom of assembly and association. The organization calls for them to be released immediately and unconditionally and for all charges against them to be dropped.

ARRESTED FOR VOICING DISSENT

The DDDNC, established in October 2005, is an unauthorized coalition of political parties, human rights organizations and pro-democracy activists. It brings together groups of different tendencies, including Arab nationalist, Islamic, Kurdish, leftist and liberal. On 1 December 2007, around 170 members held a meeting to elect the leadership of the DDDNC National Council; Feda'a al-Horani was elected president, while Akram al-Bunni and Ahmad To'meh were both elected to the senior position of secretary.

The DDDNC has called on the Syrian government to suspend the state of emergency in force since 1963. The coalition has also urged the authorities to release all political prisoners; to allow the safe return of Syrian exiles; to abolish Law 49, which makes membership of the Muslim Brotherhood punishable by

death; and to uphold the Universal Declaration of Human Rights.

Between 9 December 2007 and 5 February 2008, the authorities clamped down on DDDNC activities and arrested 46 members. Thirty-four were released without charge or trial within a few days, but the 12 members facing trial remained in detention. A 13th member, Kamal al-Mwayel, was arrested on 21 February and according to reports from human rights organizations may be tried before a military court.

TORTURED AND OTHERWISE ILL-TREATED IN CUSTODY

The 12 activists were initially held incommunicado in Damascus by the State Security Branch. At least eight were beaten by being punched in the face, kicked and slapped, and forced to sign false confessions. In addition, one of them, Riad Seif, was forcibly shaved. During this time, the DDDNC detainees were not permitted to see defence lawyers or relatives and were denied medical treatment. Amnesty International is among several organizations to have voiced concern over the allegations of torture and other ill-treatment, but no official investigation has been conducted by the Syrian authorities.

In late January and early February 2008, the authorities transferred the DDDNC activists to 'Adra and Douma prisons, where the detainees have endured poor conditions. On arrival in 'Adra prison, 10 of them were forced to sleep on the floor in a corridor for up to nine nights without blankets to protect them from temperatures that dropped below freezing. These conditions were particularly hard on Riad Seif, who suffers from prostate cancer and a heart condition. They were finally allocated cells, which they share with ordinary prisoners. It is believed that cell-mates have been instructed to monitor the DDDNC activists and to report back to the prison authorities. Detained DDDNC members have been allowed regular visits from their families, although only in the presence of a prison officer.

On 21 June 2008, for failing to stand up when a prison officer passed by, 'Ali al-'Abdullah was transferred to solitary confinement in an underground cell, where he was forced to spend a week. As further punishment, he was then moved to an isolated part of the prison, known as Section 13, where conditions are very poor and prisoners have to sleep on the floor. He continues to be denied adequate medical treatment for an injury to his ear sustained during his interrogation by state security officers.

FACED WITH VAGUELY WORDED CHARGES AND UNFAIR TRIALS

On 28 January 2008, 10 DDDNC detainees appeared before an investigating judge for the first time. They were all charged with “weakening national sentiment” (Article 285 of the Syrian Penal Code), “broadcasting false or exaggerated news which could affect the morale of the country” (Article 286), joining “an organization formed with the purpose of changing the financial or social status of the state” (Article 306) and “inciting sectarian strife” (Article 307). Such charges, vaguely worded and open to broad interpretation as they are, are frequently used against advocates of reform. The two other detained DDDNC activists, Riad Seif and Talal Abu Dan, appeared before the investigating judge the following week and were charged with the same offences.

Eight of the 12 detainees informed the investigating judge that State Security officials had beaten them during interrogation. They also told the judge that they were forced to “confess” to supporting Kurdish separatism and to receiving funds from foreign governments. Their claims that they were coerced into giving false confessions have not been investigated.

At least one DDDNC detainee was prevented from speaking to his lawyers during his four hours of questioning by the investigating

judge. Other lawyers involved in the case were present at the hearings, but the judge refused to give them copies of the case file, thereby depriving them of their right to adequate information to prepare a defence. As of mid-September 2008, the defence lawyers have still not received these.

The 12 activists were brought to trial before the Damascus Criminal Court on 16 July 2008. The first hearing was closed to the defendants’ families, as well as to the wider public. The activists’ defence lawyers were present, and the defendants were given 15 minutes to talk to their families. All 12 denied the charges against them.

On 30 July 2008, the DDDNC activists appeared for the second time before the Damascus Criminal Court. They confirmed their involvement in the DDDNC but denied the charges against them. The session, which this time was open to the public, was attended by relatives, DDDNC supporters and representatives of diplomatic missions to Syria. The third hearing before the Damascus Criminal Court was held in a public session on 26 August 2008. Riad Seif told the court on behalf of all 12 activists that they again denied the charges against them and that the DDDNC was advocating democracy and freedom of opinion and speech. The fourth session to hear the case for the defence was scheduled for 24 September 2008.

SILENCING DISSENT IN SYRIA

The Syrian government declared a state of emergency on 8 March 1963. It has been in force ever since. Under the state of emergency, freedoms of expression and association are strictly controlled. Political opposition parties and human rights organizations have to operate without authorization; their members and activists are at constant risk of arrest and harassment, and many are prevented from leaving the country.

Trials of suspected political opponents, whether before criminal, military or other courts, invariably fall short of international standards for fair trial. They are widely perceived to be influenced by the Syrian security forces and the executive authorities. Access of defendants to lawyers is restricted. Reports of torture and other ill-treatment of detainees, whether used to extract confessions or for other purposes, are common and almost never investigated by the courts.

Human rights defenders and pro-democracy activists who raise the issues of discrimination and other violations suffered by Kurds in Syria risk arrest and imprisonment on specific charges such as “attempting to sever part of the Syrian territory and annex it to a foreign state”.



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DR FEDA'A AL-HORANI

Dr Feda'a al-Horani, aged 51, is president of the DDDNC and a physician. She is the daughter of the late Akram al-Horani, founder of the Arab Socialist Party. Feda'a al-Horani was diagnosed with abdominal cancer in 1996 and still suffers the effects. She was arrested on 16 December 2007.

AKRAM AL-BUNNI

Akram al-Bunni, aged 51, holds one of the senior positions of secretary in the DDDNC. He is a writer, political analyst and former prisoner of conscience who spent more than 17 years in prison for his membership of the Communist Labour Party. He was arrested on 11 December 2007.

AHMAD TO'MEH

A dentist by profession, Ahmad To'meh, aged 51, holds one of the senior positions of secretary in the DDDNC. He was arrested on the night of 9 December 2007.



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DR WALID AL-BUNNI

Dr Walid al-Bunni, aged 43, is a physician. He was imprisoned between 2001 and 2006 for his involvement in the pro-reform movement which flourished for around a year after Bashar al-Assad became president in mid-2000. During that period, generally referred to as the “Damascus Spring”, previously prohibited discussion forums on political and cultural issues were tolerated by the authorities. However, in February 2001 the authorities imposed restrictions on such activities and in August and September 2001 a wave of arrests brought the Damascus Spring to an end. Walid al-Bunni was arrested on 17 December 2007.

JABR AL-SHOUFI

Jabr al-Shoufi, aged 60, is an Arabic literature teacher and a literary critic. He was arrested on 9 December 2007.

'ALI AL-'ABDULLAH

'Ali al-'Abdullah, aged 57, is a journalist and a former prisoner of conscience who was imprisoned on three previous occasions. He was arrested on 17 December 2007.



FAYEZ SARAH

Fayez Sarah, aged 58, is a journalist and a writer. His arrest came the day after his appearance on television on 2 January 2008 during which he defended the DDDNC detainees. He is a member of the unauthorized pro-reform network Committees for the Revival of Civil Society. He suffers from a malfunctioning thyroid gland, a condition that requires frequent medical attention.



DR YASSER AL-'EITI

Dr Yasser al-'Eiti, aged 39, is a physician, poet and translator. He was arrested on 17 December 2007.



MUHAMMED HAJI DARWISH

Muhammed Haji Darwish, aged 48, is a member of the unauthorized People's Democratic Party. He is a former prisoner of conscience and has been detained several times for peacefully advocating political reform. He was arrested on 8 January 2008.



MARWAN AL-'USH

Marwan al-'Ush, aged 52, is a geological engineer who stood as an independent candidate in the Syrian parliamentary elections in 2003. He was arrested on 15 January 2008.

RIAD SEIF

Riad Seif, aged 61, is a former independent member of parliament and a former prisoner of conscience, who was detained for his role in the pro-reform movement at the time of the Damascus Spring. He was imprisoned between 2001 and 2006 after organizing a meeting calling for greater democracy in the country. He requires specialist treatment for prostate cancer, which is unavailable in Syria, but the authorities have repeatedly denied him permission to leave the country to obtain treatment abroad. He was arrested on 28 January 2008.

TALAL ABU DAN

Talal Abu Dan, aged 55, is an artist. A former prisoner of conscience, he was released from prison in 1990 after 10 years' imprisonment. In an attack widely believed to have been carried out with at least the complicity of the authorities, his studio was ransacked by unknown assailants on 21 January 2008 and most of his paintings and sculptures were destroyed. He was arrested on 30 January 2008.

TAKE ACTION NOW

APPEAL TO THE SYRIAN AUTHORITIES:

- Call on the Syrian authorities to release immediately and unconditionally the 12 activists and to drop all charges against them. Emphasize that the allegations against the 12 activists appear to be based solely on their peaceful exercise of the right to freedom of expression as recognized by the International Covenant of Civil and Political Rights (ICCPR), to which Syria is a state party.

- Express your concern over reports that the detainees were subjected to torture and other ill-treatment. Urge the authorities to investigate the allegations and to

bring the suspected perpetrators to justice, in line with their obligations under the ICCPR and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Syria is also a state party.

- Urge the authorities to implement the steps and measures identified 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 (also known as the Declaration on Human Rights Defenders), and to

guarantee the rights and freedoms specified in it, including “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”.

Please include the names of the DDDNC detainees in your appeal.

WRITE TO:

President Bashar al-Assad

Presidential Palace
al-Rashid Street
Damascus
Syria

Fax: +963 11 332 3410

Salutation: Your Excellency

Minister of Justice

Muhammad al-Ghafri
Ministry of Justice
Al-Nasr Street
Damascus
Syria

Fax: +963 11 666 2460

Salutation: Your Excellency

Please send copies of your appeals to the official diplomatic representatives of Syria in your country.

Fax numbers may be difficult to get through to – please keep trying.

Minister of Defence

General Hassan Ali Turkmani
Ministry of Defence
Omayyad Square
Damascus
Syria

Fax: +963 11 223 7842

Salutation: Your Excellency

Minister of Foreign Affairs

Walid al-Mu'allim
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Fax: +963 11 332 7620

Salutation: Your Excellency

