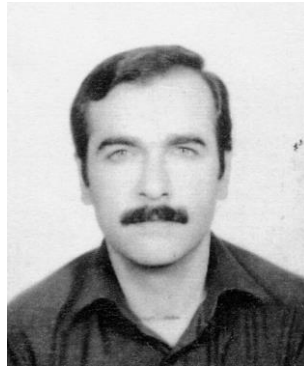


To: Health Professionals
From: Medical Office/Middle East Program
Date: 17 December 2003

MEDICAL ACTION

Syria:

Dr 'Abd al-'Aziz al-Khayyir, long-term prisoner of conscience (related action: MDE24/009/2002, 28 March 2002)



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Summary

'Abd al-'Aziz al-Khayyir, 52, a medical doctor, was arrested in Damascus on 1 February 1992, together with three others in connection with the prohibited *Hizb al-'Amal al-Shuyu'i*, the Party for Communist Action (PCA). About 13 others were also arrested around the same time on grounds of their suspected links to the PCA. 'Abd al-'Aziz al-Khayyir is the only remaining member of the PCA to remain in prison as all those imprisoned with him were released in December 2001 as part of a presidential amnesty. Amnesty International does not know why he was exempted from the amnesty.

Background

Dr al-Khayyir was reported to have been sought by the authorities for many years prior to his arrest, for suspected membership of the PCA. During this time, members of his family including his brother, sister and a cousin were arrested and detained for various periods primarily to exert pressure on him. Dr Khayyir's wife, Muna al-Ahmed, was also detained without charge or trial in connection with alleged membership of the PCA from August 1987 until December 1991, when she was released.

Following their arrest, Dr al-Khayyir and his colleagues were held in incommunicado detention for about three months, first in *Far' Falastin* (Palestine Detention Centre) and *Far' al-tahqiq al-'askari* (the Military Interrogation Branch), where they underwent continuous interrogation under torture. On 14 April 1992, Dr al-Khayyir was transferred to Sednaya prison on the outskirts of Damascus, where he is still held. He was allowed family visits for the first time on 19 July 1992. Throughout his detention in Sednaya, Dr al-Khayyir has

reportedly been giving medical advice and care to fellow prisoners as much as possible and generally acting as an informal prison doctor.

Dr al-Khayyir was eventually tried and sentenced in August 1995 by the State Security Supreme Court (SSSC) to 22 years' imprisonment (the longest sentence known to have been handed down thus far by the SSSC)¹ on charges of membership of the PCA.

In response to previous concerns raised by AI about the case of Dr al-Khayyir, the Syrian authorities alleged that he was among a group of members of the PCA who detained and assaulted a former member of the party in 1987. After careful consideration into all aspects of the case however, AI concluded that even if Dr al-Khayyir was part of this group, the charges made against him were not related to this incident.

AI therefore regards Dr al-Khayyir as a prisoner of conscience who was arrested, detained and convicted for his conscientiously held beliefs and political affiliation. AI also believes that Dr al-Khayyir was given a trial which did not meet the requirements for fair trial as specified in international standards. AI is calling on the Syrian authorities for his immediate and unconditional release.

Detention of political prisoners, including prisoners of conscience, is widespread in Syria. After arrest, many are held without charge or trial in incommunicado detention where they may be subject to torture or ill-treatment or face unfair trials.

Recommended Actions

Please write letters to President Bashar al-Assad; the Minister of the Interior, Lieutenant General 'Ali Hammud and Dr Muhammad Iyad al-Shatti, Minister of Health. Please write in your own words in Arabic, French, English or your own language, using professionally-headed paper if you use this and the following points as guidelines:

- Say that you are writing, as a health professional concerned with human rights, to express concern about the case of Dr 'Abd al-'Aziz al-Khayyir, imprisoned at Sednaya prison.
- Express concern that Dr al-Khayyir was convicted and sentenced solely for the non-violent expression of his political beliefs, rather than for any criminal act or act of violence.
- State that, as such, AI considers Dr al-Khayyir to be a prisoner of conscience.
- Express AI's concern that Dr al-Khayyir was tried in the State Supreme Security Court, whose procedures are contrary to international standards for fair trial, and specifically, to the International Covenant on Civil and Political Rights, to which Syria is a state party.
- Urge them to take steps to ensure that all judicial procedures in Syria conform to international standards for fair trial.
- Urge the authorities to immediately and unconditionally release Dr al-Khayyir and any others who are detained or imprisoned solely for their political beliefs or affiliations.

¹ The Supreme State Security Court in Syria is not subject to the judicial procedures applicable in ordinary courts, its procedures fall far short of those required by international standards for fair trial and its decisions are not subject to appeal.

Outreach

Please check with your section before undertaking any outreach activities.

- You may bring this case to the attention of the national medical association in your country, urging them to approach the Syrian authorities for the immediate and unconditional release of Dr ‘Abd al-‘Aziz al-Khayyir.

Publicity

Please check with your section before undertaking any publicity.

- You may draw the details of the case to the attention of local and national medical press.

Home government lobbying

Please liaise with your section before carrying out any home government lobbying activities.

Suggestion for home government lobbying: check whether there are any appropriate contacts within your parliament, particularly doctors or other health professionals, and try raising Dr al-Khayyir’s case with them and asking them to approach the Syrian authorities on his behalf.

ADDRESSES

His Excellency Bashar al-Assad
President
Presidential Palace
Abu Rummaneh
al-Rashid Street
Damascus
Syrian Arab Republic
Fax: + 963 11 332 3410

His Excellency Lieutenant General 'Ali Hammud
Minister of Interior
Ministry of Interior
Merjeh Circle
Damascus
Syrian Arab Republic
Fax + 963 11 222 3428

His Excellency Dr Muhammad Iyad al-Shatti
Minister of Health
Ministry of Health
Majlis ash-Sha’b
Damascus
Syrian Arab Republic
Fax: 963 11 412655
Email: health-min@syriatel.net

Le Président

Ordre des Médecins Syriens
Place Nejme
Damascus
Syrian Arab Republic

COPIES TO:

- Diplomatic representatives of Syria in your country.
- The Ordre des Médecins Syriens (Syrian Medical Association) urging them to make representations to the government for the immediate and unconditional release of Dr al-Khayyir.

If you receive no reply within two months of dispatch of your letter, please send a follow-up letter seeking a response, referring to your previous letter(s).

Please check with the medical team if you are sending appeals after 30 January 2004, and send copies of any replies you do receive to the International Secretariat (att: medical team, medical@amnesty.org).

Please send any replies received to the medical team at the International Secretariat (medical@amnesty.org) as soon as possible.

Thank you for any activities you are able to organise on behalf of Dr al-Khayyir.