

AMNESTY INTERNATIONAL FEATURE

AI index: MDE 24/053/2013
2 October 2013

Syria: One year on, fears abound over health of disappeared human rights lawyer



Syrian human rights lawyer Khalil Ma'touq has been missing since October 2012. © Amnesty International

It's been a year since Khalil Ma'touq disappeared. The eminent human rights lawyer and his colleague Mohammed Thatha were [reportedly arrested at a security checkpoint](#) while on the way to their office in Damascus.

And now there are growing fears for his health. Khalil Ma'touq suffers from advanced lung disease and has severe breathing difficulties.

As director of the Syrian Centre for Legal Studies and Research, Khalil Ma'touq was a thorn in the side of the Syrian government and, as a human rights lawyer, he has defended hundreds of political prisoners and prisoners of conscience over many years.

Now, Amnesty International considers Khalil Ma'touq himself to be a prisoner of conscience, detained solely for his peaceful activities. His friend, Mohammed Thatha, is also likely to be one, as his detention is apparently linked to his work with the human rights lawyer.

While the authorities deny holding them, Amnesty International has received credible information from released detainees who have sporadically reported seeing them in detention. His friends and family have received other unofficial tip-offs. The organization believes that both Khalil Ma'touq and Mohammed Thatha have been subjected to enforced disappearance.

"It's an open secret that the Syrian authorities are holding Khalil Ma'touq and his friend. They

should be released immediately and unconditionally,” said Philip Luther, Middle East and North Africa Programme Director at Amnesty International.

“At the very least, the authorities must immediately inform their families of their whereabouts and status, give them access to relatives and lawyers, and ensure that Khalil Ma'touq receives appropriate medical care.

“This situation amounts to enforced disappearance – a crime under international law that puts both men at increased risk of torture or other ill-treatment and extrajudicial execution.”

Khalil Ma'touq was reportedly last seen in late September this year in the notorious Palestine Branch, a detention and interrogation centre in Damascus run by the Military Intelligence. He was said to be in very poor health at the time and Amnesty International believes he, along with Mohammed Thatha, may have already been tortured and continue to be at risk of such treatment.

For decades, torture and other ill-treatment has been widely documented in Syrian prisons and detention centres. Since March 2011, when anti-government protests broke out, torture has become more widespread, leading to hundreds of deaths in custody.

With [many detainees subjected to enforced disappearances](#), Amnesty International believes that anyone detained in Syria in the context of the armed conflict is not only at risk of torture or other ill-treatment but also at risk of dying in custody, particularly those who, like Khalil Ma'touq, have health conditions.

The Military Intelligence is one of Syria's notorious security agencies. It is known to torture detainees using methods including shabah (ghost), where the detainee is tied by the wrists to a bar and then hoisted onto their tiptoes, a stress position in which they are kept for long periods and beaten. Other forms of torture include electric shocks and dulab (tyre), where the victim is bent over and forced into a tyre and then beaten.

“The accounts of Khalil Ma'touq's deteriorating health are very alarming, particularly as our research findings tell us that detainees requiring medical attention are often neglected and sometimes even left to die,” said Philip Luther.

Between 2005 and 2011, Khalil Ma'touq, a member of Syria's Christian minority, was banned from leaving Syria because of his human rights work.

He has published articles and legal studies in several newspapers and online. This included a research paper in which he analysed the discrepancies between the statute of the International Criminal Court and Syria's Penal Codes.

Family members and colleagues believe that Khalil Ma'touq's current detention is related to his work as a human rights lawyer.

People close to the human rights lawyer have received unofficial tip-offs suggesting that he remains in extremely bad health in detention. Shortly before his arrest, the lawyer had travelled to France for medical treatment – a trip which may have further contributed to the authorities' suspicions about him.

Since 2011, and throughout the ensuing armed conflict, thousands of people have been arrested in Syria, often arbitrarily. Many of them remain in detention, often in conditions amounting to enforced disappearance. Some have been referred to the Anti-Terrorism Court in Damascus, which began work in September 2012 and does not afford defendants basic due process rights according to international fair trial standards.