

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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Intensifying Attacks on Human Rights Defenders, Organizations, and Institutions

Health Providers Complicity in Torture and Cruel, Inhuman or Degrading Treatment

In Search of Authoritative Local Voices

Syria's poor human rights situation deteriorated further in 2009, as the authorities arrested political and human rights activists, censored websites, detained bloggers, and imposed travel bans. No political parties are licensed. Emergency rule, imposed in 1963, remains in effect and Syria's multiple security agencies continue to detain people without arrest warrants. The Supreme State Security Court (SSSC), an exceptional court with almost no procedural guarantees, resumed trials in March 2009, following an eight-month suspension.

Syria's repressive policies toward its Kurdish minority continue. Security agencies prevented political and cultural gatherings, and regularly detain and try Kurdish activists demanding increased political rights and recognition of Kurdish culture.

The SSSC sentenced over 45 people in 2009 on various grounds, including membership in the banned Muslim Brotherhood, Kurdish activism, membership in unauthorized political groups, and independent criticism of the government. On February 4, political security detained two members of the Communist Party for collecting signatures opposing a government decree that imposes new restrictions on real estate transactions in border areas. Three months later, on May 21, political security detained five members of the Communist Work Party during a gathering at a member's house. At this writing, all remain in detention.

On March 15 a Damascus criminal court sentenced writer and political analyst Habib Saleh to three years in jail for "spreading false information" and "weakening national sentiment" for writing articles criticizing the government and defending opposition figure Riad al-Turk.

Twelve leaders of the Damascus Declaration, a prominent gathering of opposition groups, continue to serve 30-month prison terms imposed in October 2008 after attending a political meeting. Among those detained is Riad Seif, 62, a former member of parliament who is in poor health. A Damascus criminal court tried Walid al-Bunni, another of the 12, for voicing criticism of the government while in prison, but acquitted him of the new charge on June 17.

In March 2009 the United Nations Working Group on Arbitrary Detention deemed arbitrary the imprisonment of Kamal al-Labwani, a physician and founder of the Democratic Liberal Gathering, who is serving a 15-year sentence for advocating peaceful reform.

Authorities released prominent writer Michel Kilo and political activist Mahmud `Issa, in May and June respectively, after the two finished serving three-year sentences for signing a petition calling for Syrian-Lebanese relations to be based on mutual respect for sovereignty.

Syria has no independent press. The government has extended to online outlets restrictions it imposes on other media. Internet censorship of political websites is pervasive and extends to popular websites such as Blogger (Google's blogging engine), Facebook, and YouTube.

On September 13 the SSSC sentenced blogger Karim `Arbaji to three years in prison on the charge of "spreading false information that can weaken national sentiment" for moderating a popular online youth forum, akhawia.net, that contained criticisms of the government.

Also on September 13, security forces shut down the office of Mazen Darwish, president of the Syrian Center for Media and Freedom of Expression (SCM), without providing any explanation or legal order.

In April a military prosecutor charged human rights lawyer Khalil Ma`touk with "insulting the president and public administrations" and "inciting sectarian conflict" after Ma`touk called for prosecuting security officials suspected of killing his nephew in October 2008 while reportedly pursuing smugglers. Ma`touk's trial is ongoing at this writing.

On July 28, 2009, State Security detained Muhannad al-Hasani, president of the Syrian Human Rights Organization (Swasiah), and two days later an investigating judge charged him with "weakening national sentiment" and "spreading false or exaggerated information" in connection with his monitoring of the SSSC. His trial is ongoing. On November 10 the Syrian Bar Association issued a decision to permanently disbar him.

On October 14, State Security detained Haytham al-Maleh, 78, a prominent human rights lawyer, following his appearance on an opposition television station in which he criticized the ongoing repression of freedom of expression in Syria. On November 3 a military judge charged him with "spreading false or exaggerated information that can weaken national sentiment." His trial is ongoing.

The government continues to prevent activists from traveling abroad, and in some cases, their families. Among the human rights activists whom security services prevented from traveling in 2009 are Musa Shanani, a lawyer, Abdel Karim Rehaoui, president of the Syrian Human Rights League, Abdel Rahim Ghamaza, a lawyer with the National Organization for Human Rights, and Najib Dadam, board member of the Human Rights Association of Syria. The SCM issued a report in February listing 417 political and human rights activists banned from traveling.

All Syrian human rights groups remain unlicensed, as officials consistently deny their requests for registration. The National Organization for Human Rights has challenged before an administrative court the decision of the Ministry of Social Affairs and Labor to deny its registration request. The ministry responded by calling for the organization's members to be prosecuted.

Syria's multiple security services continue to detain people without arrest warrants and frequently refuse to disclose their whereabouts for weeks and sometimes months-in effect forcibly disappearing them. The fate of at least 10 men detained in August 2008 from the region of Deir al-Zawr because of suspected ties to Islamists remains unknown. The authorities have also kept silent about the fate of at least eight Kurds detained since September 2008 on suspicion of ties to a separatist Kurdish movement.

As in previous years, the government failed to acknowledge security force involvement in the "disappearance" of an estimated 17,000 persons, mostly Muslim Brotherhood members and other Syrian activists detained by the government in the late 1970s and early 1980s, as well as hundreds of Lebanese and Palestinians detained in Syria or abducted from Lebanon. The vast majority remains unaccounted for and many are believed to have been killed.

More than one year after security forces opened fire on rioting inmates in Sednaya prison, killing at least nine, the government has not disclosed any information about the casualties. The authorities have not released Nizar Rastanawi, a prominent human rights activist who was scheduled to complete a four-year sentence in Sednaya on April 18, 2009, and there is no information about his well-being or whereabouts.

Human Rights Watch received numerous reports of ill-treatment and torture by security agencies. On January 10, 2009, the security services returned the body of Muhammad Amin al-Shawa, 43, who had been detained in August 2008, to his family. According to Syrian human rights groups, he died under torture. Ten Kurdish activists told Human Rights Watch that agents of security agencies tortured them in 2009.

Kurds, Syria's largest non-Arab ethnic minority, remain subject to systematic discrimination, including the arbitrary denial of citizenship to an estimated 300,000 Syria-born Kurds. Authorities suppress expressions of Kurdish identity, and prohibit the teaching of Kurdish in schools. On February 28, 2009, security forces violently dispersed Kurds who had gathered to protest the decree restricting real estate transactions in border areas, and subsequently detained 21 demonstrators. In March police stopped a musical event organized by a Kurdish political party in Qamishli, and security forces broke up gatherings celebrating the Kurdish New Year in Qamishli and Derbassiyeh.

Security forces detained at least nine prominent Kurdish political leaders in 2009, including, on January 10, Mustapha Jum`a, acting general secretary of the Azadi Party. On April 14 a military court sentenced two Yekiti party leaders, Fuad `Aliko and Hasan Saleh, to 8 and 13 months in prison respectively for membership in an unlicensed political organization. On May 11 a criminal court sentenced Mesh`al Tammo, spokesperson for the Kurdish Future Movement in Syria, to three-and-a-half years in prison for "weakening national sentiments" and "broadcasting false information." On October 20 a criminal court sentenced Ibrahim Berro, a Yekiti party leader, to eight months in prison for membership in an unlicensed political organization.

Syria's constitution guarantees gender equality, and many women are active in public life, but personal status laws as well as the penal code contain provisions that discriminate against women and girls. On June 5 the Syrian media revealed that the Ministry of Justice had submitted a new draft personal status law that still kept discriminatory clauses against women intact, such as denying women married to non-Syrians the right to pass on their nationality to their husbands and children, and requiring women to receive male permission to travel abroad and to work outside the home. After numerous protests from Syrian women's rights groups, President Bashar al-Asad cancelled the draft law in July.

On July 1 President al-Asad amended the Penal Code to require a minimum two-year sentence for so-called "honor" crimes. While the number of honor crimes is unknown, the Syrian Women's Observatory, an unlicensed group, documented at least 12 in 2009, including the killing in August of an 18-year-old by her father because a neighbor had tried to rape her.

Syria hosts more Iraqi refugees than any other country. Resurgent violence in Iraq caused Iraqis to continue to arrive in Syria: During the first six months of 2009 the United Nations High Commissioner for Refugees officially registered 19,000 new Iraqi refugees, bringing the total number of registered Iraqi refugees to 210,000. This represents only a portion of the Iraqis in Syria, the actual number being an estimated 1-1.5 million. Syria gives Iraqi refugees, registered or not, access to public hospitals and schools, but prohibits them from working. While Syria has generally maintained its doors open to Iraqi refugees, it has implemented since 2007 more restrictive entry requirements. Syria has forcibly returned to Iraq some Iraqi refugees whom Syria accused of committing criminal acts or working illegally.

Syria continues to refuse entry to Palestinians fleeing Iraq. At this writing, at least 2,700 remain at makeshift camps in the no-man's-land between Iraqi and Syrian border checkpoints. Chile and Sweden have accepted to resettle some of these refugees.

Syria's diplomatic isolation eroded further in 2009, with at least nine high-level foreign officials visiting Damascus, including German foreign minister Frank-Walter Steinmeier and United States envoy George Mitchell. The renewed ties have had little impact on Syria's human rights record, however. During 2009 the European Parliament issued public statements expressing concern over the human rights situation in Syria, but this did not impede progress toward signing an Association Agreement, a process that had been frozen following the assassination of Lebanese Prime Minister Rafik Hariri in February 2005.

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