

# Human Rights Watch

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

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### Annual reports

Events of 2005

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Syria's human rights situation is poor, and showed little or no improvement in 2005. Emergency rule, imposed in 1963, remains in effect, despite public calls by Syrian reformers for its repeal. In June, a state security court acquitted Aktham Na'issa, president of the Committees for the Defence of Democratic Liberties and Human Rights in Syria, of charges that he opposed the objectives of the revolution and disseminated false information aimed at weakening the State, but the authorities continue to harass and imprison other human rights defenders and non-violent critics of government policies. The government strictly limits freedom of expression, association, and assembly. Thousands of political prisoners, many of them members of the banned Muslim Brotherhood and the Communist Party, remained in detention. Syrian Kurds, the country's largest ethnic minority, continued to protest their treatment as second-class citizens. Women face legal as well as societal discrimination, and have little means for redress when they are victims of sexual abuse or domestic violence.

The February 2005 assassination of former Lebanese Prime Minister Rafik Hariri sharply intensified international pressure on the Syrian government. Bowing to this as well as Lebanese popular pressure, Syria withdrew its troops from Lebanon on April 26.

#### ***Arbitrary Detention, Torture, and Disappearances***

In March 2005, the government released 312 political prisoners. They included Muhannad al-Dibs and Muhammad 'Arab, Damascus University students, whom the Supreme State Security Court (SSSC) had just sentenced to three years in jail for organizing a protest against the suspension of two Aleppo University students; they were convicted of resistance and support of goals contrary to the revolution. On November 2, the government freed a further 190 political prisoners as part of its overall reforms. Among those released in the second group were 'Ali Abdullah, a member of the Atasi political discussion forum, and Muhammad Ra'dun, president of the Arab Organization for Human Rights (AOHR), as well as members of Islamist organizations. Security forces had arrested Abdullah on May 16 for his suspected ties to the Muslim Brotherhood and Ra'dun on May 22 for his affiliation with the AOHR and for allegedly publishing false information.

Dr. 'Arif Dalila, a prominent economics professor and a proponent of political liberalization, continues to serve a ten-year prison term imposed in July 2002 for his non-violent criticism of government policies. Mamun al-Humsi, a democracy activist and former member of parliament, is serving a five-year jail term for attempting to change the constitution. The London-based Syrian Human Rights Committee (SHRC) estimates that about four thousand political prisoners remain in detention in Syria. The authorities refuse to divulge information regarding numbers or names of people in detention on political or security-related charges. Moreover, 2005 passed without any government acknowledgement that its security forces had disappeared an estimated seventeen thousand personsLebanese citizens and stateless Palestinians in Lebanon in the early 1990s. Many of these people are known or believed to be imprisoned in Syria.

In recent years, dozens of people suspected of being connected to the Muslim Brotherhood have been arrested upon their voluntary or forced return home from exile. Syrian authorities arrested 'Abd al-Sitar Qattan, for example, on November 23, 2004, upon his return from Saudi Arabia, and reportedly prosecuted him before the SSSC under Law 49 (1980), which states, in part, that affiliation with the Muslim Brotherhood is punishable by death.

The government also targeted students whom it suspected of having ties with Islamist groups. In March 2005, the government arrested over forty students of Tishrin University, in Latakia, for being affiliated with an Islamist movement called Sunna' al-Hayat (Makers of

Life). At least some of the detained students were reportedly tortured, according to the Damascus-based Human Rights Association in Syria.

An unprecedented coalition of political reform activists, on October 16, publicly issued the Damascus Declaration for Democratic and National Change, which calls for establishing a democratic system that respects citizens rights, ensures freedom of speech and association, and ends discrimination based on religious or political beliefs. As of November the governments reaction was unknown.

### ***New Arrests of Human Rights Activists***

Human rights activists continue to be frequent targets of government harassment and arrest. Among those arrested in the past year and still in detention are Salim al-Salim, an activist from Homs in the Society of Human Rights in Syria, arrested on February 24; Nizar Rastawani, from Hama, arrested on April 18; the writer and activist 'Ali al-Abdullah, arrested on May 15 for having publicly read a letter written by 'Ali Sadr al-Din al-Bayanuni, London-based leader of the Muslim Brotherhood, about the groups agenda; and Habib Salih, arrested on May 29 in response to his writings and his appearance on satellite television channels. In the case of Rastawani, security agents refused to admit he was in their custody until his missing car was spotted at one of their security branches ten days after they arrested him.

The government prevented many human rights activists from traveling. According to the SHRC, the authorities are presently preventing over 190 activists from traveling outside the country.

### ***Discrimination and Violence Against Kurds***

Kurds are the largest non-Arab ethnic minority in Syria, comprising about 10 percent of the population of 18.5 million. Activists have long called for an end to systematic discrimination, including the arbitrary denial of citizenship to an estimated 120,000 Syria-born Kurds.

Since the March 2004 clashes between Kurdish demonstrators and security forces in Qamishli that left more than thirty dead and four hundred injured, tensions in that city and surrounding areas have remained high. A prominent Kurdish cleric, Muhammad Ma'shuq al-Khaznawi, disappeared during a visit to Damascus in May 2005; the Interior Ministry denied having al-Khaznawi in its custody, and authorities found his body in eastern Syria three weeks after his disappearance. His sons and Kurdish activists blamed state security for the abduction and murder, stating that there were signs of torture on his body. After the announcement of al-Khaznawis death, more than five thousand protesters gathered in Qamishli to condemn the killing. The protest escalated when looters, allegedly local Arabs, pillaged more than eighty Kurdish shops.

In September 2005, police beat a Syrian Kurdish woman to death when she attempted to stop the demolition of illegally built homes outside Damascus. According to defense lawyer and human rights activist Anwar Bunni, residents were primarily poor Kurdish workers.

On November 2, Syrian authorities freed seven Kurds, including three women, who had been arrested earlier in the year for belonging to a secret organization aiming to annex part of Syrian territory to a foreign country.

### ***Discrimination against Women***

Syrias 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. The penal code allows a judge to suspend punishment for a rapist if the rapist chooses to marry his victim, and provides leniency for so-called honor crimes, such as assault or killing of women by male relatives for alleged sexual misconduct. Wives require the permission of their husbands to travel abroad, and divorce laws remain discriminatory.

### ***Key International Actors***

The United Nations Security Council passed Resolution 1559 on September 2, 2004, calling for the complete withdrawal of all foreign troops from Lebanon, and reiterating support for Lebanons sovereignty and independence. The Security Council on April 7, 2005, adopted Resolution 1595, launching an investigation into the February 14 assassination, in Beirut, of former Lebanese Prime Minister Rafik Hariri. Lebanese authorities arrested four senior pro-Syrian Lebanese intelligence and security officers in August on suspicion of involvement in the Hariri assassination, but the preliminary report of chief U.N. investigator Detlev Mehlis, submitted to Secretary-General Kofi Annan on October 20, implicated senior Syrian security officials as well. On October 31, the Security Council unanimously adopted Resolution 1636 threatening further action against Syria if it did not fully cooperate with the investigation.

France, the United Kingdom, and the United States were among states which pressed Syria to implement Resolution 1559 and fully withdraw its forces from Lebanon. The European Commission and Syria initialed an Association Agreement in October 2004, but U.K. Foreign Secretary Jack Straw said on July 12, 2005, that the signing would likely not take place in 2005. The text stipulates that Syria must implement all international non-proliferation accords, and that respect for human rights and democratic principles constitutes an essential element of the agreement.

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