



President Sarkozy in Syria Human Rights Abuses in Syria

President Sarkozy's visit to Syria should include a frank discussion of the human rights in the country. The Syrian government's continued crackdown on activists, repression of free speech, discrimination against the Kurds and torture of detainees are urgent issues that President Sarkozy must raise when he meets President Asad in Damascus.

In particular, President Sarkozy should urge President Asad to release activists detained solely for exercising their freedom of expression and association, including the activists listed in this briefing paper, to instruct the Syrian security services to stop the harassment and arbitrary arrest of political and human rights activists, to take concrete steps to cease discrimination against Kurds and to redress the stateless status of an estimated 300,000 Kurds, and to investigate the use of deadly force in Sednaya prison two months ago,.

Below is a selection of the key human rights issues in Syria, as documented by Human Rights Watch. For detailed reports on these topics, please visit:

<http://www.hrw.org/doc?t=mideast&c=syria>

I. Political and Human Rights Prisoners

The Syrian authorities continue to arrest, prosecute, imprison, and harass political and human rights activists.

Damascus Declaration Detainees

Following a meeting on December 1, 2007 of the National Council of the Damascus Declaration, a gathering of numerous opposition groups and activists calling for

democratic reforms in Syria, the Syrian authorities began a crackdown against those who attended the meeting.

Today, 12 of these activists remain in detention while being tried for vaguely defined security charges, such as “weakening national sentiment and awakening sectarian strife,” “spreading false or exaggerated news which would affect the morale of the country,” and “membership in an organization formed with the purpose of changing the structure of the state.” The next trial session is scheduled for September 24, 2008.

Eight of the detainees told the investigative judge that security officials beat them during their interrogation and forced them to sign confessions stating that they planned to take money from foreign countries in order to divide the country by giving the Kurds a separate state.

Among those detained are Riad Seif, 61, a former member of parliament who suffers from prostate cancer and has a heart condition; Dr. Feda' al-Hurani, 51, a physician who was elected at the December 1 meeting as president of the National Council of the Damascus Declaration; and Ali al-`Abdullah, 58, a political writer who has already served three separate prison terms for his activism.

Beirut-Damascus Declaration Detainees

On May 12, 2006, around 300 Lebanese and Syrian activists, intellectuals and human rights defenders signed a petition calling for improved Lebanese-Syrian relations based on respect for each country's sovereignty.

The Syrian authorities arrested at least 12 signatories of the declaration. While the government later released a majority of them, a Damascus criminal court imposed harsh sentences on four signatories. The court sentenced prominent writer and political activist Michel Kilo and political activist Mahmud `Issa to three years in prison. Khalil Hussain, a member of the Kurdish Future movement, and Sulaiman Shummar, a member of the unauthorized Worker's Revolutionary Party and a leader of the National Democratic Gathering, were tried in absentia and each sentenced to 10 years in prison.

On August, 20, 2008, a Damascus criminal court rejected a request for the release of Michel Kilo although he has served three-quarters of his three-year sentence and therefore qualifies for early release under Syrian law.

In addition, a Damascus criminal court sentenced another signatory, prominent human rights lawyer Anwar al-Bunni, to five years in prison under the pretext that he stated that a man had died in a Syrian jail because of the inhumane conditions under which authorities had held him.

Dr. Kamal Labwani

Dr. Kamal al-Labwani, a physician and founder of the Democratic Liberal Gathering, was sentenced in May 2007 to 12 years in prison for “communicating with a foreign country and inciting it to initiate aggression against Syria” after he had visited, in the fall of 2005, the United States and Europe and met there with government officials, journalists and human rights organizations. The 12-year sentence is the harshest sentence against a political activist since Bashar al-Asad took over power. Labwani received a further sentence of three years on April 28, 2008 for “insulting the authorities” while in detention.

The Democratic Liberal Gathering is an unregistered group of Syrian intellectuals and activists who advocate for peaceful change in Syria based on democratic reforms, liberalism, secularism and respect for human rights.

Labwani already had served three years in solitary confinement for his participation in political reform discussions in 2001.

Kurdish Activists

Syrian authorities frequently harass and arrest Syrian Kurdish political activists. Most recently, on August 15, 2008, Syrian security services arrested Mash`al al-Temmo, the official spokesperson for the Kurdish Future Current in Syria, an unauthorized political party, while he was driving to Aleppo. They held him incommunicado for 11 days. On August 27, an investigative judge charged him with “weakening national sentiment and awakening sectarian strife,” “spreading false or exaggerated news

which would affect the morale of the country,” and “membership in an organization formed with the purpose of changing the structure of the state.” He is currently in detention at ʿAdra prison, near Damascus.

II. Repressive Laws and Practices

The government has maintained a continuous state of emergency since March 8, 1963, when the Ba`ath Party seized power. The Emergency Law grants the prime minister as the martial law governor extraordinary powers to restrict an individual’s ability to assemble, meet, and to “preventatively arrest anyone suspected of endangering public security and order.”

These powers have created an environment where the authorities widely abuse the most basic rights and freedoms of the Syrian people and adopt arbitrary measures to silence critics in the name of safeguarding national security.

Trials by the Supreme State Security Court

The Supreme State Security Court (SSSC), an exceptional court created in 1968 to examine “all cases referred to it by the martial law governor,” remains very active. In 2007, it tried and sentenced over 160 individuals on various grounds, including membership in the banned Muslim Brotherhood, Kurdish activism, membership in unauthorized political groups, and independent criticism of the government.

The SSSC is not constrained by the usual rules of criminal procedure and evidence, and none of the trials there meet the minimum guarantees of due process required by international law. The court regularly convicts defendants based on confessions taken under torture or other forms of duress.

Repression of Online Activities

There is no independent press in Syria. The government recently has applied restrictions it has traditionally applied to print and televised media to online

expression, detaining and trying a number of journalists and activists for posting information online.

Karim `Arbaji, 29, the moderator of www.akhawia.net, a popular online forum for Syrian youth covering social and political issues, is currently facing trial before the SSSC for “spreading false information that may weaken national sentiment.”

Others already have received harsh sentences for their online activities. The SSSC sentenced Tarek Biasi, 22, on April 11, 2008 to a three-year sentence for “spreading false information that may weaken national sentiment.” His crime was “insulting security services” online.

A group of seven young men, Husam Melhem, Tariq al-Ghourani, Ayham Saqr, ‘Ulam Fakhour, Maher Ibrahim Asbar, Omar al-Abdullah (son of Ali al-Abdullah, who is detained separately as part of the Damascus Declaration group), and Diab Siriya – all students, except Ayham Saqr, who works in a beauty salon – were convicted in June 2007 of “taking action or making a written statement or speech which could endanger the State or harm its relationship with a foreign country, or expose it to the risk of hostile action.” Two of the students received seven year prison sentences, while their five co-accused received five year terms. During their trial, all seven defendants denied the charges against them and alleged that state security forces had extracted their confessions from them using torture. However, the court accepted the contested confessions and failed to undertake any investigation of the allegations of torture.

The Syrian government also blocks websites that span a range of categories. Authorities impose the most substantial filtering against sites that criticize government policies or support Syrian opposition groups. OpenNet Initiative, a partnership of four leading universities in the US, Canada and the UK, which monitors government filtration and surveillance of the internet, says that filtering of political websites in Syria is “pervasive.” The Syrian government’s censorship also covers popular websites such as www.facebook.com, www.youtube.com, and Google’s blogging engine, www.blogspot.com.

Refusal to Register Human Rights Groups

Although the Syrian constitution protects the rights to freedom of association, the government has used its emergency powers and restrictive legislation, such as the 1958 Law on Associations and Private Societies (Law No. 93), to stifle activists' exercise of their most basic rights. Syrian authorities have refused to register any of the human rights groups that have applied for registration. Without legal status, these groups operate at the whim of the authorities and live in constant fear that the government will shut them down and imprison their members for violating the law.

Travel Bans

Syrian authorities routinely use travel bans as punishment for activists and dissidents. The use of such bans expanded dramatically in 2006 and 2007. While the exact number of activists banned from traveling is unknown, it is estimated to be in the hundreds. Last month, at least seven political and human rights activists were directly affected by these restrictions.

III. Discrimination against the Kurds

Kurds, the largest non-Arab ethnic minority in Syria, comprise about 10 percent of the population of 19 million. They remain subject to systematic discrimination, including the arbitrary denial of citizenship to an estimated 300,000 Syrian-born Kurds, following a 1962 census that led to their denationalization. Despite multiple promises by the Syrian authorities to “resolve the issue of nationality”, including one made by president Asad in his second inaugural speech on July 22, 2007, the government has not taken any concrete steps to address this problem.

Syrian authorities also suppress the use of the Kurdish language in schools and suppress – often by violent means – other expressions of Kurdish identity, such as celebrations of the Kurdish New Year, “Nowruz.” (Is this how they spell it there? In Turkey the Kurds spell it Newroz.) For example, during this year’s celebration of Nowruz on March 20, 2008, Syrian internal security forces opened fire on celebrating Kurds, leaving three Kurds dead and at least five wounded. No independent investigation into the shooting incident was opened. This was not the first time that Syrian forces have used force to break up a Kurdish celebration. Two years ago, in

March 2006, security officers arrested dozens of Kurds and used teargas and batons to stop a candle-lit night procession in celebration of Nowruz.

IV. Shooting at Sednaya Prison

Sednaya prison, located about 30 kilometers north of Damascus, is under the control of the military, and is used for the pre-trial detention for those held by security services, as well as for those already sentenced by the State Security Court.

On the morning of July 5, 2008, Syrian prison authorities attempted to quell a riot at the prison. The riot had begun when a contingent of Military Police officers conducted an aggressive search of the inmates' cells. The prisoners, a majority of whom are Islamists, protested by fighting with members of the military police. The military police reportedly responded by opening fire on them.

Following the shooting, detainees overpowered the security guards and took several hostages, including the prison director. Tense negotiations ensued for four days, with information leaking to the outside world by inmates using cell phones seized from the hostages. The last known communication from the prisoners was a July 8 phone call from an inmate to his family, saying that security officials were threatening to violently storm the prison if the prisoners did not surrender.

Two months after the incident, there is no public information about how the prison standoff ended, or the exact number and names of those killed and wounded. Human Rights Watch obtained the names of nine inmates who were believed killed. Syrian human rights organizations reported that as many as 25 may have been killed. The families of inmates have thus far have been unable to obtain any information about their relatives.

We ask President Sarkozy to inquire about the deadly shooting and to urge President Bashar al-Asad to order an independent investigation into the police's use of lethal force at the prison and to make public immediately all information about the riot, including the names of those injured or killed.

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