

SYRIA: A Prison for Human Rights Defenders

In Syria, in recent years, despite economic and diplomatic opening, many human rights defenders, following trials marred with procedural irregularities, **are serving prison sentences** for peacefully exercising their right to freedom of expression, assembly and association **or are awaiting trial in prison**. The provisions of the state of emergency in force since 1963 together with those of the Criminal Code, in particular Articles 257, 263, 267, 278, 285-288, 298 and 376, continue to give the authorities broad discretionary powers used to repress the activities of defenders. The Observatory for the Protection of Human Rights Defenders highlights the ordeals of nine human rights defenders detained in reprisal for their human rights activities. These cases are emblematic of the climate of repression prevailing in Syria against all dissenting voices. Human rights defenders are at constant risk of arrest due to their activities. **Most of them are not allowed to leave the country.**

This list is not exhaustive and was updated on October 1, 2010. Many other civil society activists, including writers and political dissidents, are serving sentences on politically motivated charges.

The nine human rights defenders suffer specific **acts of reprisal and intimidation in prison**. Their right to be visited by their families and lawyers is severely restricted. Security officers constantly attend visits, lawyers need authorisation by the President of the Bar Association and the General Prosecutor to visit their client. They enjoy less time with their families during visits and access to basic supplies, including medication is restricted.

For more information, please consult:
www.fidh.org and www.omct.org

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Ali Saleh Al-Abdallah

Human rights activities: Ali Al-Abdallah is a member of the Committee for the Revitalisation of Civil Society in Syria, a **writer and a pro-democracy activist**. He is a member of the National Council of the Damascus Declaration for Democratic National Change (NCDD) established on December 1, 2007 as a follow-up body to the Damascus Declaration for Democratic National Change of October 16, 2005 (a collective pro-democracy movement calling for peaceful democratic reforms in Syria). Al-Abdallah had already spent six months in prison in May 2005 and March 2006.

Arrest, trial and detention: He was arrested on December 17, 2007. On October 29, 2008, he was **sentenced to two years** and a half imprisonment together with 11 other leaders of the Damascus Declaration on charges of "spreading false and exaggerated news that weaken national sentiments" under Article 286. On June 17, 2010, instead of being released, Al-Abdallah was transferred into military jurisdiction and new charges were brought against him allegedly for making a press statement from inside the prison regarding Iranian elections but also due to the human rights activities carried out by his son, Muhammad Al-Abdallah, outside Syria. He was then sent back to prison. Al-Abdallah will reportedly **face a new trial before a military court** again on charges of "spreading false and exaggerated news that weaken national sentiments" and "spoiling Syria's relations with another country" under Article 278. He is held in the Central Damascus Prison of Adra.



Abdulhafiz Abdul Rahman

Human rights activities: Abdulhafiz Abdul Rahman is a member of the Board of Trustees of the Human Rights Organisation in Syria (MAF), an organisation which defends **the rights of the Kurdish minority**. He is also

a **writer and a journalist** and has contributed to the magazine *Steer*, and helped in publishing the magazine *Aso*.

Arrest, trial and detention: On March 2, 2010, Abdul Rahman was arrested in his house in the Ashrafieh district, Aleppo. During the raid, the security patrol asked him about different cases he was working on and about his work within MAF. They confiscated some reports issued by MAF as well as Mr. Abdul Hafiez's computer and several books written in Kurdish. The patrol **failed to display any legal warrant** to justify this procedure. He was first detained at the military security branch in

Aleppo city north and then transferred to the Central Prison in Aleppo called Meslmeeh. On September 29, he was sentenced by the third military individual judge in Aleppo to **one year imprisonment**, under Article 288 of the Criminal Code which prohibits membership of "secret organisations". He is currently detained in the Central Prison of Aleppo.



Anwar Al-Bunni

Human rights activities: **Lawyer**, founder of HRAS, Head of the Damascus Centre for Legal Studies and President of the Committees for the Defence of Political Prisoners. At the time of his arrest, Anwar Al-Bunni was to be appointed Head of a European Union-funded centre for human rights training.

Arrest, trial and detention: Al-Bunni was arrested in May 2006 **after signing the Damascus-Beirut Declaration**, a petition signed by more than 300 intellectuals and human rights defenders from Syria and Lebanon, calling for the improvement of the relationships between the two countries. On April 24, 2007, Al-Bunni was sentenced to **five years imprisonment** on a charge of "spreading false and exaggerated news that weaken national sentiments" under Article 286. Since 2006, he is held in the Central Damascus Prison of Adra.



Muhannad Al-Hassani

Human rights activities: **Lawyer** and President of the Syrian Organisation for Human Rights "Sawasiyah" and a Commissioner of the International Commission of Jurists (ICJ). He is the **Laureate of the Martin Ennals Award for 2010**. He has been subjected to a travel ban over the last six years. His office and all communications have been under constant surveillance by Syrian security forces for the past six years.

Arrest, trial and detention: He was arrested on July 28, 2009, for allegedly having reported on the State Security Court. Held secretly during 12 days, he was then charged and **disbarred for life** from the exercise of the lawyer profession by the Damascus Section of the Syrian Bar Association. On June 23, 2010, following a trial marred with procedural irregularities, he was sentenced by the Damascus Criminal Court to **three years of imprisonment** on charges of "weakening national sentiments and encouraging racist and sectarian feelings", and "spreading false and exaggerated news that weaken national sentiments" under Articles 285, 286 and 287, in reprisal for the mere exercise of his profes-

sional activities as a lawyer, including his observation of and reporting on public hearings before the State Security Court, and for the statements and reports published by Sawasiyah. His lawyers appealed the sentence. Al-Hassani is detained in the Central Damascus Prison of Adra.



Kamal Al-Labwani

Human rights activities: **Medical doctor**, he was a board member of the Committees for the Defence of Freedom, Democracy and Human Rights in Syria (CDF). He had already been imprisoned between 2001 and 2004, notably for "inciting an armed revolt" under Article 298.

Arrest, trial and detention: He was arrested on November 8, 2005, after travelling to the United States and Europe and meeting with government officials, journalists, and human rights organisations, a travel during which he made a statement about the possible consequences of international sanctions against Syria on the population. He was charged with "weakening [...] sectarian feelings" under Article 285 and "conspiracy with a foreign State" under Article 257 and 263, and **sentenced to 12 years of imprisonment**. On April 23, 2008 he was sentenced by a military court in Damascus to an **additional three years** on charges of "weakening national sentiment" under Article 285 and "slander [...] the head of state" under Article 376, bringing his total sentence to 15 years. He is held in Central Damascus Prison of Adra.



Haytham Al-Maleh

Human rights activities: **A 80 years old lawyer** and former president of the Human Rights Association in Syria (HRAS). Al-Maleh was also Al-Hassani's lawyer when he was arrested. In 2006, Al-Maleh was **awarded the Guezen medal** by the Netherlands for his devotion on promoting human rights and democracy in Syria. Al-Maleh had already been imprisoned from 1980 to 1987 for his activities in the Syrian Bar Association where he served as the President of the Lawyers Social Welfare Association and had been banned from travelling abroad since 2004.

Arrest, trial and detention: He was abducted by State Security agents on October 14, 2009 and held incommunicado for five days during which he was **denied access to his medication and subjected to acts of ill-treatment**. On October 12, 2009, he had denounced the intensifying security grip in Syria in an interview on Barrada TV, a satellite television channel based

in Europe. On July 4, 2010, he was sentenced to **three years of imprisonment** by the Second Military Court of Damascus on charges of "spreading false and exaggerated news that weaken national sentiments", under Articles 285 and 286. His lawyers appealed the sentence. Al-Maleh is detained in the Central Damascus Prison of Adra. Suffering from several health conditions, he has been denied free access to his medication.



Mustafa Ismail

Human rights activities: Mustafa Ismail is a **lawyer** and activist of the rights of the Kurdish minority.

Arrest, trial and detention: On December 12, 2009, he was arrested after having been summoned by the local security office in Aleppo and detained at the Air Force Security Branch. Shortly before his arrest, Mustafa Ismail had been questioned by officials of different security services about his media work, especially phone interviews he had given to a European-based Kurdish satellite TV station and several articles he had posted on the Internet denouncing the discrimination faced by the Syrian Kurd minority. On December 17, 2009, his family went to the Air Force Security Branch in Aleppo for information but was ordered to leave. For a long time, he was **held incommunicado** and his family was not informed of his place of detention nor the reasons for his arrest. On May 13, 2010, the Second Military Prosecutor in the Military Court in Aleppo charged Ismail with "making plans and actions aimed at offending Syrian relationships with foreign countries" and "being member of an illegal organisation aiming to partitioning off a portion of Syrian territory in order to annex it to a foreign state", under Articles 267 and 288. On September 26, 2010, his trial opened and Mr. Ismail denied the charges held against him. The case was then adjourned to October 17 for the defence to present their case. He is detained in the Central Prison of Aleppo.



Habib Saleh

Human rights activities: **Writer and political analyst**, he founded the Tartus branch of the National Dialogue Forum, an unauthorized discussion group. He had already been detained between 2001 and 2004, after publishing articles on the corruption and tyranny of the Syrian government, and convicted of "inciting racial and sectarian strife"; then, between May 2005 and September 2007, for having criticized the government, and accused of the same offences he was sentenced in March 2009.

Arrest, trial and detention: Habib Saleh was arrested on May 7, 2008, by security services for the publication of articles criticizing the government and calling for democracy. He was sentenced, in March 2009, to **three years in prison** by the Damascus Criminal Court for “weakening national sentiment [during time war]” and “spreading false and exaggerated news that weaken national sentiments” under Articles 285 and 286. He is detained in the Central Damascus Prison of Adra.



Nizar Ristnawi

Human rights activities: Engineer, Nizar Ristnawi is a founding member of the Arab Organisation for Human Rights in Syria (AOHRS) and a member of the Committees for the Defence of Democratic Freedoms and Human Rights (CDF).

Arrest, trial and detention: He disappeared on April 18, 2005 for two weeks when finally the Syrian authorities recognised detaining him. He was held in solitary confinement until August 2005. On November 19, 2006, Ristnawi was sentenced to **four years of imprisonment** by the Supreme State Security Court. He was charged with “spreading false and exaggerated news that weaken national sentiments” under Article 286 and “slandering the Head of state” under Article 376. Since April 2005, Ristnawi was detained in the Sednaya Military Prison. On July 5, 2008, a riot took place in Sednaya prison during which at least 17 detainees and five other people were killed. The Syrian authorities imposed a total information black-out on the events. As prison visits have been prevented, Ristnawi’s family has had no contact with him since the end of June 2008. In May 2009, they asked the authorities for information, in vain. Ristnawi should have been released in April 2009 and the prison authorities no longer recognise detaining him. His family has no news regarding his fate nor his whereabouts. **Nizar Ristnawi would have been killed during the 2008 prison riot** but, to date, **this has never been officially recognised by the authorities.**

OBSERVATORY FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS: AN FIDH AND OMCT JOINT PROGRAMME

The Observatory is an action programme based on the belief that strengthened co-operation and solidarity among human rights defenders and their organisations will contribute to break their isolation.

With efficiency as its primary objective, the Observatory has adopted flexible criteria to examine the admissibility of cases that are communicated to it, based on the “operational definition” of human rights defenders adopted by OMCT and FIDH:

“Each person victim or at risk of being the victim of reprisals, harassment or violations, due to his or her commitment, exercised individually or in association with others, in conformity with international instruments of protection of human rights, to the promotion and realisation of the rights recognised by the Universal Declaration of Human Rights and guaranteed by the different international instruments”.

To ensure its activities of alert and mobilisation, the Observatory has established a system of communication devoted to defenders in danger.

This system, known as the Emergency Line, is available by:

Email: Appeals@fidh-omct.org

Tel: + 33 1 43 55 25 18 / Fax: + 33 1 43 55 18 80 (FIDH)

Tel: + 41 22 809 49 39 / Fax: + 41 22 809 49 29 (OMCT)

