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Syrian Human Rights Committee

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# **Annual Report On Human Rights Situation in Syria 2005**

(Covering the period from June 2004 to May 2005)

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June 2005

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## Contents

<b>Introduction .....</b>	<b>3</b>
<b>First: Legislations Used to Justify Human Rights</b>	
<b>Violations in Syria .....</b>	<b>6</b>
<b>1.1 – Law Related to Establishment of the State</b>	
<b>Security Department .....</b>	<b>6</b>
<b>1.2 – State of Emergency and Martial Laws .....</b>	<b>6</b>
<b>1.3 – The Supreme State Security Court .....</b>	<b>7</b>
<b>1.4 – The Syrian Constitution .....</b>	<b>7</b>
<b>1.5 – Law of Genocide: No. 49 of 1980 .....</b>	<b>7</b>
<b>1.6 – The Politics of Forceful Arabisation of Syrian</b>	
<b>Kurds .....</b>	<b>8</b>
<b>Second: The Dossier of Detainees .....</b>	<b>9</b>
<b>2.1 Detainees of the 1980s .....</b>	<b>9</b>
<b>2.2 – Detainees of “Damascus Spring” .....</b>	<b>9</b>
<b>2.3 – Instances of Arbitrary Arrests .....</b>	<b>10</b>
<b>2.4 – Arrests of those Returning to Syria .....</b>	<b>13</b>
<b>2.5 – Detainment of those Forcibly Deported to</b>	
<b>Syria .....</b>	<b>15</b>
<b>2.6 – The Repeated Arrest of those Formerly</b>	
<b>Released .....</b>	<b>16</b>
<b>2.7 – The Continual Arrest of Deportees Returning</b>	
<b>from Iraq .....</b>	<b>16</b>
<b>2.8 – Arrests among those Returning from Iraq .....</b>	<b>17</b>
<b>Third: The Supreme State Security Court (SSSC) .....</b>	<b>18</b>
<b>Fourth: Dossier of Syrian Detainees Abroad .....</b>	<b>21</b>
<b>Fifth: Dossier of those who have Vanished in the Syrian</b>	
<b>Prisons .....</b>	<b>22</b>
<b>Sixth: Dossier of Human Rights Defenders and Civil</b>	
<b>Society Activists .....</b>	<b>24</b>
<b>Seventh: Dossier of those Prevented from Travel .....</b>	<b>26</b>
<b>Eighth: Inflicting of Punishment and Terrorising of</b>	
<b>Detainees’ Relatives .....</b>	<b>27</b>
<b>Ninth: Dossier of Deportees and Exiled – Numbers</b>	
<b>and Distribution .....</b>	<b>28</b>
<b>Tenth: Instruction No. 17 Issued by the Foreign Minister .....</b>	<b>30</b>

<b>Eleventh: The Ordeal of those Released from Prison .....</b>	<b>31</b>
<b>Twelfth: Dossier of Kurds Post 12 March 2004 .....</b>	<b>33</b>
<b>Thirteenth: Freedoms of Press and Media .....</b>	<b>37</b>
<b>Fourteenth: Freedom to Demonstrate and Picket .....</b>	<b>40</b>
<b>Fifteenth: Prisons and Torture .....</b>	<b>41</b>
<b>15.1 – Prisons and Detainment Centres .....</b>	<b>41</b>
<b>15.2 – Torture .....</b>	<b>42</b>
<b>15.3 – Organs and Names Behind the Arrests         and Torture .....</b>	<b>43</b>

## Introduction

The human rights condition in Syria, documented in this report, has witnessed a setback in fundamental issues during the last year, between June 2004 and May 2005. This has led to the vanishing of hopes for improvement on the human rights situation in Syria. During this time, the country succumbed to a state of extremism and severe violations, reaching its worst point since Bashar al-Assad's assumption of presidency in Syria five years ago.

The Authorities did not attempt to eradicate, freeze or neutralise any of the despotic laws or their methods of controlling all aspects of life in Syria. Despite the Syrian Authorities' regular leakage of information regarding reform and modernisation projects, the Syrian scene remains governed by the state of emergency and martial laws of 1963, by the law of political execution No. 49 of 1980, and by the forceful Arabisation of the Syrian Kurds. In this timeframe, both the Supreme State Security Court (SSSC) and military courts witnessed immense activity, and both were presented with individuals and groups of detainees whom they condemned to stringent sentences while lacking adequate evidence against them, and without allowing them the opportunity for self-defence.

Among the worst instances of despotic oppression throughout this period was the violent offensive that defenders of human rights and the members of the civil society movement were exposed to – an offensive that reached its peak with the arrest of Lawyer Muhammad Ra'doon, 'Ali al-Abdullah, and the board of Jamal al-Atasi's Forum this May.

Following the incidents of 12 March 2004, the Kurdish situation witnessed an escalation in the campaign of arrests and in the presentation of detainees before exceptional courts and the SSSC. A number of Syrian Kurds also met their deaths in military units, under torture, and in equivocal occurrences. Subsequently came the unfulfilled pardon offered to 312 Kurdish prisoners, yet the Authorities quickly avoided the full execution of the pardon by presenting a group of them for trial before the SSSC.

Despite the release of two groups of detainees from the 1980s and 1990s, a frenzied campaign of attacks brought forth new, baseless arrests of tens of people returning to the country, the majority of whom had made settlements regarding their circumstances with Syrian Embassies.

Not even those deported to Syria for one reason or the other were spared, and they were treated with the epitome of harshness. The Syrian Authorities further launched a severe attack against the *Salafi* orientation and illegally arrested tens of citizens from different provinces.

The Syrian Human Rights Committee (SHRC) has confirmed information relaying instances of torture operations carried out in the prisons and interrogation centres, numerous cases of which led to deaths or permanent disability, and encompassed new methods of torture and inhumane treatment practised by the security forces against the detainees and those held in temporary custody.

The Authorities activated mechanisms of abduction and punishment by means of third parties who acted on their behalf, in efforts to terrorise the opponents and suppress their voices.

Opponents, along with their family members were expelled sometimes from their jobs in the public sector because they did not receive security authorization, an element considered a prerequisite for work.

The Syrian Authorities continue to prevent the exercising of basic freedoms; the freedom of media and press are restrained and severely curbed, and the freedom to demonstrate and picket is harshly suppressed. Political activity is monopolised by the *Ba'ath* Party along with, on a limited level, the parties of the Front who have given their allegiance to the *Ba'ath*. All political activity beyond that of these groups is prohibited; there exist either unauthorised groups who face extreme limitations or groups and parties that the Authorities continue to uproot and eradicate.

In this year, there has been no democratic method in the nomination and election process, for everything yields to the orders legislated by the hegemonic *Ba'ath* Party over the Authorities, the administration of organisations, and the official trade unions in Syria.

## **First: Legislations Used to Justify Human Rights Violations in Syria**

### **1.1 – Law Related to Establishment of the State Security Department**

Valid legislations in Syria work in collaboration with the exceptional laws to create a general atmosphere that contributes to the violation of human rights on the largest scale. This Law of 1968 regarding the establishment of the State Security Department and the Law regarding the establishment of various other security and intelligence departments intertwine in their authorities and interfere in the daily affairs of citizens. They place their hands in the most specific details of citizens' lives as the Branch of Political Security, Military Intelligence, General Intelligence (National Security), Air Force Intelligence, Presidential Security and others simultaneously interfere in the same matter of the same citizen. All these groups continue to call this individual for interrogation with no formal subpoena or a written warrant as is in accordance with legal jurisprudence. If questioning of this individual is completed by one of these groups and his file is subsequently cleared, this does not denote that the matter has been settled with the other security branches.

### **1.2 – State of Emergency and Martial Laws**

The state of emergency and the martial laws that have been imposed on the country since 8 March 1963 have facilitated the ability for significant curbing of personal, political and media freedoms. They have prevented the Syrian people from enjoying their liberties and have allowed serious violations of the Syrian people's rights on all levels of activity. Furthermore, they have narrowed the scope of movement allowed by the Constitution under normal circumstances. Despite the fact that over forty-two years have passed since the announcement of this state of emergency, there exists no indication of the Syrian Authorities' intent to annul it or even restrict the main sections that limit the freedoms of citizens and disable their ability to practise them.

### **1.3 – The Supreme State Security Court**

This year, the SSSC, assuming this exceptional state of circumstances in its rigidity of sentences and refusal to allow contestation or appeal, has witnessed activity at a level the country has not seen before. Tens of citizens were presented for trial before the SSSC and were issued severe and unmerited sentences reaching that of execution, subsequently reduced to imprisonment for 12 years. The role of ordinary courts regressed despite the Executing Authorities' and the Security Authorities' hegemony over the legal sphere and its conversion into a tool used to its advantage.

### **1.4 – The Syrian Constitution**

The Syrian Constitution comprises numerous articles that strip the Syrian people of their rights. Article 8 of this Constitution limits the right of leadership in the state and society to the *Ba'ath* Party, while it divests the general Syrian public of their rights. All articles dealing with the presidency of the republic and the high courts are prepared for the dedication of dictatorship and despotism. Article 153 breaches the foundation of the Constitution by permitting the existence and implementation of the exceptional laws (e.g. the state of emergency) that were valid prior to the ratification of the Constitution until its termination. The Article was not cancelled despite the passing of 32 years since the ratification of the Constitution. Hence, the Syrian Constitution of 1973 dedicates the dictatorship of a group that controls the reigns of power in Syria.

### **1.5 – Law of Genocide: No. 49 of 1980**

This Law sentences all those affiliated with the unauthorised Muslim Brotherhood to death. The consequences of this despotic law have been the execution of thousands in the prisons, while other thousands have been imprisoned for periods exceeding twenty years. Still tens of thousands of others have disappeared in the Syrian prisons, whilst the Syrian Authorities decline to provide information on their fate or their place of burial. Their names remain existent among the living ones in the registers of the civil status, and still there exist hundreds imprisoned in accordance with this law. There remains a continuous and constant trend in the arrests of members of the Muslim Brotherhood movement and their relatives,

as well as those who sympathise with them and those who maintain or establish relationships with members of the movement. The Law of Genocide against the Muslim Brotherhood is considered of the most detrimental and despotic laws that the country today has been exposed to, and as its results in the past have led to a point beyond destruction. It is impossible for one to anticipate its future consequences.

### **1.6 – The Politics of Forceful Arabisation of Syrian Kurds**

The Syrian Authorities' policies in pursuing the techniques of forceful Arabisation of Syrian Kurds have resulted in devastating ends. The consequences have encompassed the prohibition of hundreds of thousands of Kurds of their right to citizenship, the prevention of freedom to practise their cultural and linguistic heritage, a decrease in education levels and an increase in the rate of unemployment. The Authorities suppressed their demands using excessive and undue force, and they faced flagrant injustice as a result thereof. They were enclosed in an atmosphere of ignorance and backwardness that led many of them to either emigrate or associate with organisations advocating the notion of independence from Syria. These tyrannical and unwarranted policies brought forward negative consequences upon the position of Kurds in this year in particular.

## **Second: The Dossier of Detainees**

SHRC believes that the Syrian Authorities currently hold over 3,000 prisoners on political or security grounds distributed among the prisons and interrogation centres. The prisoners are categorised in the following sections.

### **2.1 Detainees of the 1980s**

On 17 July 2004, the Syrian Authorities released 256 prisoners held since the 1980s and 1990s. For the first time ever, the Syrian Arab News Agency (SANA) acknowledged these numbers and the fact that they were political prisoners. However, it was subsequently made clear that the security officials retained 120 of these prisoners. On 7 December 2004, SANA announced the release of an additional 112 prisoners, the majority of who were members of the Muslim Brotherhood, but also included members of the Liberation Party (*Hizb ul-Tahreer*), Ba'athist opponents, Communists, and Palestinian activists. SANA claimed that twenty others were released in the period between the release of these groups, although there still remains in the detainment centres and prisons several hundred people of this category who have been detained for nearly a quarter century since their arrest.

### **2.2 – Detainees of “Damascus Spring”**

There remain six detainees of “Damascus Spring”, having been imprisoned for the past four years. They include the former two members of Parliament; Muhammad Ma`moon al-Homsi and Riyadh Saif, in addition to Dr `Arif Daleela, Waleed al-Bunni, Fawwaz Tello and Habeeb `Isa. While both Kamal al-Labwani and Habeeb Saleh were released at the beginning of September 2004 after their prison sentences was served, Habeeb Saleh was ruthlessly re-arrested on 29 May 2005 due to his writings and his appearance on Arab Satellite channels. The SSSC previously sentenced these men to five years in prison, (with the exception of `Arif Daleela who was sentenced to ten years) as a result of their activism in the civil society movement, which came to be known as “Damascus Spring.”

### **2.3 – Instances of Arbitrary Arrests**

Between June 2004 and May 2005, Syrian Security Forces launched massive campaigns to arrest individuals and groups, reaching its nadir since Bashar al-Assad's assumption of power in 2000. In addition to the Muslim Brotherhood and the *Liberation Party (Hizb ul-Tahreer)*, they targeted those with a *Salafi* tendency and did not spare any ordinary Syrian citizen against whom they held the slightest suspicion. The student Muhammad al-Mahmood bin Hasan was arrested from the Technical Institute in al-Raqqa on 9 June 2004 due to his opinions and beliefs, and was transferred to the Intelligence Branch in Damascus.

In the beginning of July, the Military Intelligence arrested 19 young men in the town of Qatna near Damascus as a result of their religious inclinations. They are: Sari Muhi-iddin Badr-iddin, Ayham Ahmad 'Umran, Fadi Muhammad 'Abdul-Ghani, Osama Ahmad 'Atiyya, Hasan Deeb il-Zeyn, Rami Ahmad 'Urfah, Athkar Bandakji, Arsheed al-Sheikh, Yahia Bandakji, Tarik Nadeem Shahadeh, Anwar Badr-iddin, Ibraheem Saboora, Qaasim Bandakji, Ahmad al-Sheikh, 'Omar Nadir, and Sari Nadir. Most of those mentioned are students at the secondary level.

On 14 June 2004, the Military Intelligence arrested a member of the political bureau of the Democratic *Ba'ath* Party, Muhammad Jum'ah Qooban, despite a legal order issuing his release in return for bail.

On 25 July 2004, Muhammad Ahmad Hammadah was arrested from al-Raqqa after being called for interrogation at a security branch in Damascus with no reasons presented.

In August 2004, the Security Forces in Latakia arrested the university student Muhammad 'Ali Teeba, who was also arrested with no charge presented. On 8 August 2004, the Syrian Authorities arrested nearly thirty citizens from the village of Hayaleen near Hama following a rally held by the villagers in reaction to a raid of the village carried out by 200 security personnel with the justification that they were in pursuit of a legal offender, Mahdi al-Faris. The

Authorities arrested 18 citizens, including children and disabled individuals.

Also during this period, the Security Forces in Hama arrested researchers and specialists in Religious Studies. They are: 'Abdul-Samad al-Jaja, Muhammad al-'Imadi, Ahmad Hijazi, 'Abdul-Mun'im al-Nasir, Amjad 'Arwani, Bassam al-Asfar, Muhmmad Hamama, Ahmad Moosli, Tarik Lahlah, Huthayfa Qizliyash, Ahmad Mabeed, Faris al-'Aryan, Iyad Nerabiyeh, Faris al-Hammood, 'Abdul-Hameed al-Tabba', and Mu'ath Shantoot.

On 17 August 2004, the citizen Muhammad Ahmad al-Ra'i of Sheezir was arrested because of his *Salafi* orientation. Additionally, Suheil Khudr al-Humaydi of al-Raqqa was arrested after being summoned on numerous occasions by the Security Forces; he was then transferred on 18 October 2004 to the Military Court and accused of defaming the position of presidency.

On 16 September 2004, Sameer Rahhal, a member of the Communist Party – Political Bureau was arrested due to his visit of the Immigration and Passport Department in Latakia where he went to apply for a passport. Furthermore, the citizen Hamid Ahmad al-Khudr, who was working in the *Iqra* Bookshop in al-Raqqa, was called for interrogation by the Security Organs in Damascus, where he was subsequently arrested. A mathematics teacher in Aleppo, 'Abdul-Nasir al-Hmeydi, was arrested on 19 September 2004 and accused of 'having religious inclination'. Rashid al-Muhammad bin Sattam was arrested for one month simply because he attended the wedding of a relative who did not get a license from the Security Authorities to conduct a wedding celebration. When the policemen arrived at the grounds of celebration, the host of the event escaped. As a result, they arrested his relative and sentenced him to prison.

The Intelligence in Homs also carried out a raid of arrests that claimed tens of youth from the old neighborhoods of city following the death of a Security agent who desecrated one of the mosques. There remains an unknown number of these youth detained, despite that the facts of this incident and its perpetrators are known.

On 7 February 2005, Muhammad Saleem Shughri was arrested with no reasons being presented for his arrest. On 15 February 2005, Muhammad Barghooth al-Saleh, a doctor in the General Hospital, was arrested in Hama. His arrest came following an article published in *Qasyoon*, an electronic Communist journal, regarding the deterioration in the health conditions of the hospital. The Security Authorities assumed that the information was taken from him by means of a friendship with the journal's editors.

On 20 January 2005, the eve of the *Eid al-Adha* celebration, the Security Authorities carried out a series of arrests in the town of Madhaya near Damascus that lasted a number of days and resulted in the arrest of 16 young men. It was said that the arrests resulted from the youths' *Salafi* orientation. Similar and other unknown reasons brought about the arrest of the students Yusuf Hasan Qallab, Muhammad Hasan Qallab, and Muhammad Khaled Hammoosh in March 2005. Military Intelligence in the town of Basamis in Idlib also arrested Jihad Hussein Ba'jar on 5 March 2005 simply due to his commentating on a speech given by the President.

In March 2005, over forty students in Latakia were arrested and accused of organising a secret organisation, based on the students' desire to copy the program "Life Makers" (*Sunna' il-Hayat*), aired on the satellite channel *Iqra`*, which calls for investing time and cheap cost to accomplish beneficial matters for society. Thirty-four of these students were released on 22 May 2005 following two months of detainment and inhuman treatment.

Even after the release of their colleagues, there remain in custody four citizens from the town of Darya, arrested in May 2003. Their prolonged detainment resulted from their refusal to sign a written pledge not to return to their previous activism. They are Haytham al-Hamwi, Muhammad Shahada, Yahia Sharbaji, and Mu'taz Murad. Their case, however, is not categorized as being political or organizational.

The Syrian Authorities also arrested 20 Assyrians who rallied against the killing of two Assyrians, Naseem Ibrahim and Yelda Ya'qoob, following a personal dispute with others supported by the Authorities on 31 October 2004.

They also arrested four Arab Ahwazi students in May 2005, and subsequently released them based on the claim made by an Ahwazi collaborator with the Security Authorities.

#### **2.4 – Arrests of those Returning to Syria**

This year is distinct in the increase of arrests in the dossier of those returning from exile and forcible deportation who were forced to leave the country in the 1980s due to the painful incidents the nation witnessed and its aftermath of brutal repression. After settling their circumstances via Syrian Embassies or by contacting the concerned authorities in Syria, some of them returned to the country. However, the vast majority of them were arrested upon their arrival to the Syrian border or the airports.

The youth Mus'ab al-Hareeri was arrested approximately three years ago upon visiting the country for the first time in the company of his mother. He was arrested because his father had been accused of being affiliated to the Muslim Brotherhood. He remains in custody under trial by the SSSC despite the fact that he was not born in Syria and has committed no crime except for being related to an 'opponent'.

On 27 August 2004, the Syrian Intelligence lured 'Abdul-Salam al-Saqqa of Homs, (who has been residing in Jordan since the beginning of the 1980s) to the Syrian borders where he was to collect his children who were visiting the country with their mother. He was arrested and vanished in Syrian prisons.

In the same time period, Ayman 'Ardali, who has an Australian citizenship, was arrested upon his arrival to Damascus International Airport and transferred to the infamous 'Palestine Branch'.

In October 2004, it was revealed that Khaled Yahia Ra'i of Latakia, a deportee of the '80s, was arrested upon arriving to the country in the early months of the year. He was released in March 2005 following a year of detainment.

Nu'man al-Afghani of Aleppo was also arrested upon his arrival to Syria, where he had intended to spend his summer holiday.

In yet another instance, Dentist Muhammad Qattee', who works in the U.S.A and holds a U.S citizenship, was arrested three months after returning to Syria from the United States.

On 10 December 2004, 'Omar 'Abdul-Razzaq 'Aksh of Aleppo, an exile since the '80s, was arrested upon his return from Khartoom. In another account, 'Ammar Hussein Fakhri of Hama was arrested four months after his return from Saudi Arabia; his return came subsequent to a special settlement made, and while he was left to enter the country, he too was later arrested.

Majid Bakri Sulayman was arrested after his return from Yemen on 13 January 2005. He returned taking advantage of the special pardon granted to those who escaped the obligatory military service. He was not given the chance to benefit from this pardon as he was also arrested.

At the country's border with Turkey, Ahmad Ghannam of Hama was arrested after obtaining assurances from the Syrian Consul in Turkey. The Consul claimed that his arrest was due to another offence, in spite of the fact that the Consul knows the claimed offences take place so long as the Syrian Authorities prevent citizens from their right to obtain passports. He was later released.

Mahmood Sammaq was also arrested upon arriving to Damascus from Yemen, where he has resided since 1981. Additionally, Ahmad Maher Zaydan of Latakia was arrested upon arriving in a visit from Canada, possessing Canadian citizenship. He visited Syria after his father obtained permission for him to return. He was discharged after the Canadian Authorities requested his release. In the same

manner, Hazem 'Abdul-Kareem al-Jundi of Homs was arrested upon arriving in Damascus International Airport from Saudi Arabia after attaining permission from the Syrian Authorities to return to the country.

Credible reports have discussed detainees' exposure to torture. One such individual who returned to the country, Ahmad 'Ali Hussein al-Masalmeh of Houran, died as a result of torture. He was arrested upon his arrival to Damascus' airport on the eve of *Eid ul-Adha* on 20 January 2005 despite having obtained permission, acknowledging his circumstances from the Syrian Embassy in Riyadh. He was subjected to inhumane and degrading treatment and prevented his medication, as he suffered from a serious ailment of the heart. When his condition deteriorated, the Authorities released him and an angioplasty was administered. However, he died due to his increased suffering in prison.

Adding to the unfortunate circumstance is that the Intelligence organs applied pressure upon a number of his family members to hold a press conference. They requested the regime's newspapers correspondents to attend the conference. The press conference was held to vindicate the statement issued by SHRC regarding the incident, and to claim that the death was a natural one. SHRC maintained its right to persecute the perpetrators of the death of Ahmad al-Masalmeh.

## **2.5 – Detainment of those Forcibly Deported to Syria**

SHRC has confirmed a number of incidents of deportation this year, and that those deported to Syria were arrested upon their immediate arrival in Damascus airport. They remain isolated from the outside world even to the date of publication of this report.

'Abdul-Rahman Muhammad 'Ali al-Moosa was arrested upon his immediate arrival from the United States after being charged with violating US immigration laws. 'Abdul-Rahman left Syria in 1982 due to the extreme and harsh suppression at the time.

Muhammad Osama Sayes of Aleppo was also forcibly deported from the United Kingdom on 3 May 2005 after his request for

political asylum was refused. Accompanied by two British Immigration officers, he was arrested upon his immediate arrival in Damascus International Airport. He left the country with his parents in the early '80s at less than five years of age. With these deportations, both the United States and the United Kingdom have breached international covenants that prohibit deportation to countries practising torture. SHRC has received credible documentation of the exposure of previous detainees to torture and inhuman treatment, in addition to their placement in solitary confinement where they are isolated from the outside world and face very difficult circumstances.

## **2.6 – The Repeated Arrest of those Formerly Released**

On 27 November 2004, Engineer 'Abdul-Sattar Qattan was arrested after returning from performing '*Umrah*' in Makkah. He was charged with bringing aid to those who were imprisoned and then released. He is currently in a very dire circumstance after having spent tens of years in the Syrian prisons. 'Abdul-Sattar was in fact previously arrested due to his membership with the Muslim Brotherhood, between the years of 1975 to 1977, and then again between 1979 and 1995. He remains detained to this date.

Khaled Mustafa Hijazi of Jablah was also rearrested. A martial order was issued to detain him for a period of one year based on charges of discussing the degrading ill-treatment that he witnessed in the prisons throughout his nineteen years of imprisonment. Habeeb Saleh, a detainee of "Damascus Spring", was rearrested on 29 May 2005 because he exercised his rights of writing, and appeared on a number of satellite channels.

## **2.7 – The Continual Arrest of Deportees Returning from Iraq**

Continuing this year was the raid of arrests upon Syrian deportees returning from Iraq either due to the war conditions or because the security authorities lured them back to the country. On 17 March 2005, Shayish 'Ali al-Tayyar of Hama was among those arrested after returning to Syria, the country from which he was forced to emigrate. He had moved to Iraq in 1981 during the great

suppressive assaults in the '1980s. There has been no news of Shayish al-Tayyar available since his arrest.

Information regarding the conditions and the whereabouts of the following individuals, arrested in 2002, 2003, and 2004, has also been terminated. They are: Sa'd Marwan 'Alewi, Muhammad Marwan 'Alewi, Jamal Mahmood al-Wafa'i, 'Umar Ahmad Darweesh, Ridwan Ahmad Darweesh, Mu'ath Qaddoor al-Thamir, Muhammad Qaddoor al-Thamir, Ahmad Muhammad Qashoosh, 'Adnan Naseef, and Faisal 'Ali al-Haj Sa'eed. On 28 August 2004, the SSSC sentenced Muhammad Ahmad al-Afandi and Mahmood 'Ali al-Nabhan to death based on Law 49 of 1980, charging them with affiliation to the Muslim Brotherhood. The sentence was then reduced to terms of 12 year imprisonment.

Worthy of mention is that the Authorities released all those returning to the country with the exception of the Islamists. Those released included dissident Ba'athists, among whom was former president Muhammad Ameen al-Hafith.

## **2.8 – Arrests among those Returning from Iraq**

A large number of Syrians who went to Iraq in 2003 in order to oppose American military invasion were arrested upon their return. This happened despite the fact that the Syrian authorities had encouraged them towards this action and facilitated their means to arrive in Iraq. Months later, those who survived and returned to Syria were exposed to arrests and interrogation. A number of them remain imprisoned. In early June 2004, Fadi Faraj, who returned from Iraq following the American occupation, was arrested. A few days later, in Harasta near Damascus, 'Adnan Hasan 'Afoof, 'Ali Mahmood 'Afoof, and 'Abdul-Lateef Shakir were arrested simply due to their acquaintance with Fadi.

### **Third: The Supreme State Security Court (SSSC)**

Syria has never witnessed increased convention of the SSSC and its issuance of prison sentences to the level of its occurrence this year. The SSSC lacks the standards of fair and just trials. For example, detainees are not permitted access to personal information possessed by the court pertaining to them, and they are denied their rights during the time of detainment and presentation before the court. Furthermore, the detainee is stripped of his right to a lawyer. If a lawyer is permitted, he is prohibited from viewing the detainee's file. Detainees held by this court are not allowed to make any connection with the outside world, nor can they be visited. Their referral to the court for an official hearing is a matter that may involve months or years, and even then the accused is prohibited from calling witnesses to prove his/her innocence. The verdicts of this court are final, and no chance to contest or appeal is provided. The accusations are codified and restrictive in their clichés and expressions. Examples of accusations directed by this court to the opposing detainees, with the intent of criminalising and sentencing them include: spreading false information; weakening the morals of the nation; affiliation with a secret organisation; belonging to a criminal association; seizure of a portion of the country and embracing it with a foreign nation; collaborating with a foreign country; belonging to an international organisation; opposing the implementation of the socialist system; opposition to the goals of the revolution and attempts to alter the regime by violent means.

The reality of these charges is that they are directed towards peaceful citizens who have not committed any criminal offences or political crimes. Rather, the indictments are the arbitrary allegations of the court and the Security Organs that stand behind the SSSC against any citizens who attempt to exercise a portion of their freedoms.

On 21 June 2004, the SSSC issued a sentence of three years (later reduced to two-and-a-half years) against 'Abdul-Rahman al-Shaghoori of the province al-Qunaytara. He was charged for surfing

banned sites with special interests to Syrian current affairs, and accused of publishing false information.

On 25 July 2004, the SSSC sentenced Haytham Qteysh to four years in prison, and his brother Muhannad Qteysh to three years in prison. They also sentenced journalist Yahia al-Aws to prison for two years charging him with surfing banned sites with special interests to Syrian current affairs and correspondence with opposing electronic websites.

On 28 August 2004, the SSSC sentenced Mahmood 'Ali al-Nabhan to death based on Law No. 49 of 1980, which condemns any person affiliated with the Muslim Brotherhood to death; the verdict was then reduced to 12 years.

Musab al-Hareeri has remained in custody for the past three years, awaiting trial before the SSSC and charged with his father's membership with the Muslim Brotherhood.

In October 2004, Amnesty International revealed that Arwad Muhammad 'Izzat al-Booshi was presented before the SSSC and sentenced to 12 years in prison. He was charged with former affiliation to the Muslim Brotherhood, despite the fact that Arwad who holds Canadian citizenship returned to Syria after attaining a formal pardon from the Syrian Authorities.

On 6 March 2005, the SSSC sentenced students Muhannad Dibs and Muhammad 'Arab to three years in prison for organising a protest at the university opposing a legal decision pertinent to engineering graduates. However for the first time in the history of SSSC, President Bashar al-Asad did not endorse the court's sentences regarding this case, and they were released after eleven months of unjustified detainment.

On 13 March 2005, the SSSC sentenced university student Husam ul-deen Shaqeer, convicted of belonging to the Liberation Party (*Hizb ul-Tahreer*), to three years in prison. Muhammad Sa'eed al-

Sakhri, who was arrested for eleven months following his deportation from Italy, remains under trial before the SSSC.

These instances are all excluded from the interrogations and sentences issued against the Kurds (see section pertaining to the Kurds).

#### **Fourth: Dossier of Syrian Detainees Abroad**

There are a significant number of Syrian detainees in the custody of other nations, yet they have been neglected by Syrian Authorities. No measures have been taken to investigate their cases and negotiate their release. There are fourteen Syrians detained in Libya after attending a religious *Sufi* gathering nearly eleven years ago. Another worker met his death this May at the hands of Libyan police officers following a simple dispute between the Syrian and a Libyan citizen who was a friend of the officers.

In Iraq, there are currently thirty-three Syrian citizens who live in exile. They are residents of Iraq and are detained without having committed any crime other than being Syrians and Arabs. They are currently being charged by the new Iraqi regime. Even Guantanamo Bay hosts its share of Syrian detainees who have had no charges presented against them. In the prisons of the occupying Israeli forces there also exist a number of Syrian residents of the occupied Golan Heights. A few years ago, the Spanish authorities arrested twenty-four Syrian citizens, including the well-known and established journalist Tayseer 'Allouni. Despite the vast majority of detainees' clear innocence of the accusations against them (relationships with al-Qaeda), it appears as though the Syrian authorities are working against them rather than defending their oppressed citizens.

### **Fifth: Dossier of those who have Vanished in the Syrian Prisons**

The figures of those who have disappeared in the Syrian prisons and detainment centres exceed 17,000 Islamist detainees, who were arrested from the late 1970s and the early '80s. Their news and traces vanished in the notorious Massacre of Tadmur (Palmyra) that took place on 27 June 1980, ordered by Rif'at al-Asad, brother of former president Hafez al-Asad, and in other implemented mass genocides and executions. Other disappearances emerged due to death under torture, the epidemics witnessed by the prison of Palmyra from the 1980s until the mid '90s, along with the executions and death under torture in the prisons of al-Mezze, Sednaya, and Kafar Sooseh, as well as security and Intelligence Branches in different provinces, especially the infamous 'Palestine Branch for Military Interrogation'.

This number is considered the lowest figure deduced by eye-witness accounts of former detainees as compared to research issued by the Syrian Human Rights Committee. SHRC has confirmed the names of over 4,000 missing persons, while others remain unconfirmed as a result of the families' fear of coming forward or due to specific circumstances that did not permit for their names to be known.

The Syrian Authorities' concealment of the fate of these men brings forth the tragedy of these missing persons; they remain listed as living, bound by the registers of the civil status in Syria. The authorities, however, refuse to respond to any inquiry of their fate, and rather punish family members requesting information on their missing kin. One example includes, but is not limited to, an instance when in September 2004, the intelligence of Idlib arrested members of the Majlawi and al-Sheikh families, simply as a result of having asked about their relatives who have been missing in the Syrian prisons since the 1980s. There remain personal matters and civil circumstances that have become outstanding and complicated and are awaiting the Authorities to reveal their fate.

In an interview conducted by writer Susanna Kolibel of the German magazine *Der Spiegel* in Vol. 8/2005, the former Defense Minister Mustafa Tlas conceded that throughout the 1980s in Damascus alone, he used to order the hanging of 150 political opponents a week. He also admitted that he has signed the execution for thousands of detainees, all of whose status was not updated with the civil registry, nor were their families notified of their death.

In addition to the abovementioned, there are tens of Ba'athist opponents also missing, along with hundreds of Palestinian supporters of the *Fatih* movement and other parties opposing the Syrian regime, who were arrested in Syria or abducted in Lebanon.

The family of the Palestinian detainee Bassam Sammar, who was arrested from his home in the *al-Yarmook* camp in 1985 and has not been heard from since, appealed to international organisations to disclose the fate of their son.

In addition to these examples, there are hundreds of Lebanese who have been arrested by the Syrian Authorities in Lebanon and transferred to Syria. One figure estimates their number to be at 197, whereas a Lebanese human rights group placed the figure of Lebanese persons who have disappeared in the Syrian prisons at over 500.

Surfacing this year were the cases of the military officer Farhan al-Zu'bi, missing for the past thirty years, Mazyad al-Tirkawi, missing for seventeen years and accused of belonging to the Democratic *Ba'ath* Party, and Mahmood al-Za'eem.

## **Sixth: Dossier of Human Rights Defenders and Civil Society Activists**

The number of organisations defending human rights has increased this year, and as their activities have magnified, the Syrian Authorities have placed strong pressures upon them in attempts to terrorise them and curb their activism. Human rights activists have, in many instances paid a heavy price as a result thereof.

Attorney Aktham Nu'aisa remains to be summoned before the SSSC even after his release on bail on 16 August 2004, following four months of detainment.

On 9 August 2004, the Arab Human Rights Organisation in Syria's request for license was refused based on a law pertaining to private associations and organisations.

On 5 September 2004, the human rights activist 'Abdul-Kareem Da'oon was arrested based on a professional document he issued on the deficiency in the health standards of the prison in which he worked. He was released on 12 December 2004 in order that he may be presented before the court as a free man.

Saleem al-Saleem of Homs, an activist in the Society of Human Rights in Syria, was arrested on 24 February 2005 and is yet to be released.

Yet another human rights activist, Nizar Rastawani of Hama, was arrested on 18 April 2005. The Security authorities refused to admit he was in their custody until his missing car was spotted at one of their security branches ten days after his disappearance.

The writer and activist of Jamal al-Atasi's Forum, 'Ali al-Abdullah', was arrested on the night of 15 May 2005 due to having read a letter written by 'Ali Sadr-iddin al-Bayanouni, leader of the Syrian Muslim Brotherhood, directed to the Forum and relating to the Brotherhood's national political agenda.

Then, on 24 May 2005 came the crude arrest of the all eight members serving on the board of Jamal al-Atasi's Forum because they refused to alienate themselves from their colleague 'Ali al-'Abdullah. They are: the president of the Forum, Sohair al-Atassi, Nahid Badwiyya, journalist Hussein al-'Awdat, the Forum's director, Hazim Nahar, Jihad Musooti, Muhammad Mahfoodh, 'Abdul-Nasser Kahloos, and Yusuf Juhmani. All eight were released six days later on 30 May.

Lawyer Muhammad Ra'doon, president of the Arab Human Rights Organisation in Syria, was arrested on 22 May due to the organisation's activism in defending human rights. He was then transferred to the SSSC and was interrogated based on two accusations: affiliation with an international organisation and publishing false information.

Habeeb Saleh was re-arrested on 29 May 2005 in reaction to his writings and his appearance on satellite channels. Initially, he was a detainee of "Damascus Spring" and was released after his sentence was complete, a few months before his re-arrest.

Many activists were prevented from travelling, and Lawyer Haytham al-Maleh, former president of the Society of Human Rights in Syria still faces such restrictions. Lawyer Aktham Nu'aisa, Head of the Committees for Defense of Democratic Liberties and Human Rights, was also initially forbidden from traveling before later being granted permission. Based on confirmed figures, the number of activists prevented from leaving the country exceeds one-hundred and ninety.

## **Seventh: Dossier of those Prevented from Travel**

The list of those denied the right to travel abroad for political reasons encompasses the names of tens of thousands of citizens comprised mostly of those released from the country's prisons, but also including political opponents and the relatives of many of these opponents, a number of human rights and civil society activists, as well as members of other parties and groups.

Accompanying the prevention of travel is the prohibition of obtaining a passport or exit clearance. Additionally, their names are kept at the borders to ensure they do not leave the country, and they are often called upon to appear at the security branches for questioning and interrogation.

## **Eighth: Inflicting of Punishment and Terrorising of Detainees' Relatives**

The Syrian Security Authorities have adopted the politics of chastising the families and friends of political opponents using various different methods for punishment. At times, they revert to summoning these relatives and friends to Security and Intelligence Branches for security questioning and interrogation; this was the case of individuals from the families of al-Sheikh and Majlawi in Idlib during the summer and autumn of 2004. In different instances, the Security Authorities prevent the families from travel, as was the case when at the beginning of 2005, Colonel Hafez Sultan, Head of the Military Intelligence Branch in al-Swaidaa` called upon citizens from Houran and informed them that they were stripped of their right to travel due to their relationship with political opponents. This was followed by confiscating their passports and other granted permits and their dismissal from work, as was the case of a number of doctors in the hospitals of Deir Ezzor at the beginning of 2005.

The punishment of relatives has included them being pressurised to hold press conferences to contest accounts of the fate of a detainee at the hands of intelligence officers. A prime instance is that of Ahmad 'Ali al-Masalmeh's family, whose brother and nephew held a press conference in Syria in May 2005 under duress of the Authorities in order to refute SHRC's claims that Ahmad al-Masalmeh's death came as a result of torture and being prevented his medicine.

The Security Authorities often resort to aggressive methods against the families of opponents. The household of the detainee 'Arif Daleela' was exposed to an assault carried out by a mob armed with staffs and knives, supported by the security. The raid led to the serious injury of his son Shadi, who was consequently taken to a hospital, and the assault and bruising of his sister, who was exposed to verbal abuse and threats. Rather than indicting the criminal mob supported by the security, his brother, Ghazi, was afterwards stopped for questioning.

## **Ninth: Dossier of Deportees and Exiled – Numbers and Distribution**

Residing outside of Syria are tens of thousands of voluntarily and coercively exiled Syrians who have been living in this state for the past twenty-five years or even more. Their conditions are a result of the severe suppression that masked the nation during the 1980s, as well as the never-ending pursuit of wanted persons. The present consequences of these Syrians' state of exile are the arrest of dozens of those returning to the country, and the issuance of sentences to twelve years in prison against each returnee.

Three generations have emerged from the initial deportees and exiles, and from grandfathers to sons and grandsons, the Syrian Authorities continue in their pursuit and in attempts to either arrest them or make matters complicated by various means. The latter may include security cooperation with other similar regimes, the presentation of their names as claimed terrorists, deceitfully luring them to return to the country with the intention of their arrest, and by exploiting the weakest links to arouse trouble amongst them or even spy on them.

The authorities continue to strip the exiles of their civil rights, particularly declining to provide passports and even refusing to register marriage and issue birth certificates in the civil registry, which has had an extremely negative impact on their lives and feelings. These oppressive deprivation tactics brought about the inability of many to work, study, or receive treatment.

The Syrian Authorities have also attempted to instigate the authorities of other countries against them by presenting reports claiming that these Syrian citizens are using unauthentic passports. These countries, understanding the truth and reality of the matter, respected the affairs of these exiles as much as possible, without hindering their relationship with the Syrian Authorities.

A large number of these exiles have settled in other Arab countries, including Jordan, Iraq, the Gulf States and Yemen, while another group of them immigrated to Europe, the Americas, and Australia.

Those currently residing in Iraq are being subject to stringent pressures and problems pursuant to the unstable conditions of the country. A number of them were arrested simply on the grounds of being Syrian (See section pertaining to Syrian exiles in Iraq).

Another group, though smaller in number, were forced to leave the country because they opposed the Authorities in Syria. They encompass Liberal, Communist, Leftist, Ba'athist, and Nasirite groups, some of whom manage education centres, journals and human rights associations.

The Syrian Authorities attempted to rectify its image this year by allowing a number of exiles to return to the country. This included former president Muhammad Ameen al-Hafez (84 years old), who lived as a refugee in Iraq (and remained at the Syrian-Iraqi border for a number of months before permission to enter was granted), the Nasirite Military General Jasem 'Alwan, a refugee in Egypt, and the Communist artist Yusuf 'Abdalki. However, the series of numerous arrests of other returnees to the country presented an opposite image, causing human rights organisations in Syria to send appeals warning people against returning home. In reality, the Authorities have not changed their course, nor have any of the suppressive laws, including the emergency laws and Law No. 49 of 1980 been replaced or eradicated.

## **Tenth: Instruction No. 17 Issued by the Foreign Minister**

The Foreign Minister issued Instruction No. 17 on 17 March 2005 to all Syrian diplomatic missions. The instruction gave permission to grant all Syrian citizens living abroad passports valid for two years (while the normal period of validity for a passport is six years), regardless of the reasons that formerly prevented the exercising of this right.

An explanatory memorandum from the Minister's office stated that issuing a passport did not annul the numerous charges against the citizens. It was later known that a number of Embassies demanded that those applying for passports pay 'emigration taxes' for the years between 1991, the year in which the law of emigration rates was ratified, and 2004, the year in which it was repealed. This translated into the payment of large sums of money that most of the deportees cannot pay, especially as some of them are unable to work because of their circumstances in exile and their lack of civil documents.

Those applying for the passports were requested to wait for few months until they can acquire their passports. From the date of issuing of this Instruction until the publication of this report, SHRC has confirmed that only a minute number of citizens were actually granted passports.

## **Eleventh: The Ordeal of those Released from Prison**

From the beginning of the 1990s and until today, there have been several thousand political prisoners released, the vast majority of whom were Islamists. The releases also encompassed other detainees who experienced the tyranny of the Security Organs, and members of the Scientific and Trade Unions, as well as human rights activists and members of different political factions, including the opposing Democratic *Ba'ath* Party, the Liberation Party, the Communist Labour Party, the Communist Party- Political Bureau, and a number of Palestinian activists.

Every detainee who is released is stripped of all civil rights either for the same time period as the sentence or a minimum of seven years. On official documents, a seal is placed indicating the specific length of time of the sentence, which then serves as an obstacle when applying for jobs. Furthermore, it is not allowed for the released detainee to travel abroad, nor return to his previous job if he was formerly a government or public sector employee. He cannot own or initiate a business, nor can he serve as a partner in a private or limited company or accept any type of assistance from others. In December 2004, Engineer 'Abdul-Sattar Qattan was arrested and charged with conveying financial aid to a released detainee; he remains detained to the date of this report's publication.

A released detainee is required to regularly attend the security or Intelligence Branches and is pressured to cooperate with the security apparatus and present information against his friends, relatives and acquaintances. The reality is that many former prisoners live a very difficult and burdensome life as they are followed and pursued even in the grocers'. SHRC has documented a case this year in which a released detainee who possesses a PhD degree was forced, due to the preventative work measures taken against him, to work at a grocery selling vegetables. Even there he was not left in peace by the intelligence agents, as they often approached his shop and began to take what they desired of

vegetables without payment. This continued until the shop owner was left with no choice but to fire him.

## **Twelfth: Dossier of Kurds Post 12 March 2004 incidents**

The plight of the Syrian Kurds was exacerbated after the incidents of 12 March 2004, when it became clear that the rule of an iron fist was the method that was to be exercised by the Authorities towards Kurdish citizens.

Subsequent to clashes that erupted during a football match between the teams of Deir Ezzor and al-Qamishli, dozens of casualties ensued while thousands of others were arrested. The arrests came primarily from the northern and northeastern regions of Syria, but also included Damascus and Aleppo, in both of which exists a Kurdish Syrian community.

Months later, the Authorities released groups of detainees; however, other hundreds were kept in custody and presented for trial. The Authorities have referred dozens of Kurdish citizens to Military Courts in Damascus and other cities. Among them are eight instances of Kurds forwarded before interrogation Court in Ra`s al-`Ayn on 8 June 2004. They are: Ahmad Shukri Sa`doon, Bahzaad Jameel, Khudr Sa`eed, Khaleel bin Ahmad, Sayamind aal-Rashi, `Ali Sa`eed, Kaniwar Muhammad, and Muhammad `Ali Majo.

On 17 February 2005, eighteen Kurdish detainees were presented before the Military Court in Damascus, while another group consisting of twenty-three detainees were presented on the 24<sup>th</sup> of February. Still another group of twenty-three detainees were presented for interrogation on 3 March 2005, all of whom came from al-Malikiyah and al-Qahtaniya in the province of al-Hasakeh. They, too, were presented before the Military Court in Damascus. On the 17th of March, twenty-two detainees from the northwestern town of Ra`s al-Ayn were presented before the Military court in Damascus.

On 27 June 2004, the SSSC condemned seven Kurds , who had been previously detained for a year due to having participated in a rally outside the UNICEF office in Damascus, and sentenced them to five years in prison; four of the Kurds then had their sentences

reduced to one year. They are: Hussein Ramamdan, Soolar Saleh, 'Amir Murad, and Hozan Muhammad Ameen. The SSSC has ordered that they be released as they have served their sentence, and reduced the prison term of the other three to two years, ordering that they be kept until their full term is served. They are: Khaled Ahmad 'Ali, Shareef Ramadan, and Muhammad Mustafa.

On 29 August 2004, the SSSC issued rulings ordering the imprisonment of two Kurds, Farhaat 'Ali and Ibraheem al-Na'saan, for five years, later reduced to three years.

On 30 March 2005, a presidential pardon was issued to release 312 Kurdish detainees. The Security Authorities, however, only released approximately 160 detainees, and were quick to refer some of them to the SSSC. On 24 April 2005, Sheefan 'Abdo, detained in the aftermath of the incidents of 12 March, was tried before this court.

The arbitrary arrests of Kurds continued throughout this year. In the beginning of August 2004, military intelligence arrested a Kurdish family consisting of a father, three sons, and two paternal nephews from al-Malikiyah. They were hurriedly transferred by special military vehicles to Damascus for interrogation.

In the beginning of March 2005, the Kurdish citizen Musallam al-Sheikh Hasan, a member of the leading bureau of the Kurdish Democratic Unity Party's in Syria, was arrested. The arrest took place when a coach heading from Aleppo to 'Ayn il-'Arab was stopped, and Musallam Sheikh Hasan was taken into custody and subsequently transferred to the Palestine Branch for Military Interrogation in Damascus. He was released seven weeks later.

On 10 May 2005, the well-known Kurdish Sheikh Muhammad Ma'shooq al-Khaznawi was arrested. The Ministry of Interior denied that he was in their custody, although traces of his arrest indicate that he was being held by one of the security forces.

Throughout this year, a number of Kurdish citizens fulfilling their mandatory military service met their death in their military units.





















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Syrian Human Rights Committee (SHRC)  
BCM Box: 2789  
London WC1N 3XX  
United Kingdom  
Fax +44 (0)870 137 7678  
[www.shrc.org](http://www.shrc.org)**