
SYRIA



SYRIA (SYRIAN ARAB REPUBLIC) IN OUTLINE

The Syrian Arab Republic lies on the eastern shore of the Mediterranean Sea. Its neighbouring countries are Turkey, Iraq, Jordan, Lebanon and Israel. Its land area is approximately 185,000 square kilometres. Geographically it consists of two main zones: a narrow mountainous region to the west and a large eastern area composed mainly of steppe and desert, crossed by the Euphrates River. According to official statistics for 1976 its population (including Palestinian refugees) was 8.7 million. The estimated annual population growth rate is 3.5 per cent. The principal language is Arabic. The capital city is Damascus. Islam is the religion of over 80 per cent of the population, the majority of whom are Sunni Muslims. There is a significant Christian minority of various sects. Among the diverse religious and ethnic minorities are the 'Alawi, Kurds, Armenians, and smaller numbers of Druze, Assyrians, Circassians and Jews.

The present-day state of Syria was formerly part of the Ottoman Empire, as were its neighbours. Following the dismemberment of the Ottoman Empire, Syria fell under French mandate in 1920. It gained full independence in 1946. The Arab Socialist Ba'ath (Renaissance) Party has been in power since 1963. Its proclaimed aims are "unity, freedom and socialism". The present leadership assumed office in November 1970. President Hafez Assad is the Head of State, Commander-in-Chief of the armed forces and Secretary General of the Ba'ath Party within Syria. Syria is a member of the Arab League.

The country's modern history has been heavily influenced by the continuous state of war with Israel. Syrian territory on the Golan Heights has remained under Israeli occupation since the 1967 Arab-Israeli war. Although the USSR is its principal arms supplier the present government has demonstrated independence in its foreign relations. It has indicated support for a comprehensive political solution to the Middle East conflict while firmly rejecting the bilateral peace treaty between Egypt and Israel. Relations with Egypt deteriorated following Egypt's peace initiative towards Israel in 1977. At the same time Syria has increased cooperation with Jordan and in June 1979 announced a "unified political leadership" between Syria and Ba'athist-governed Iraq aimed at establishing union between the two countries following a persistent political and ideological dispute in recent years. Since 1976 Syria has maintained some 30,000 troops in Lebanon under the Arab Deterrent Force.

Mining and manufacturing (petroleum, phosphates and textiles) trade, and agriculture (the traditional mainstay of the economy, exporting cotton and grain) each accounted for approximately 20 per cent of the gross domestic product in 1976, according to official figures. Syria is a modest oil producer, crude oil accounting for 60 per cent of its exports in 1976 and serving the country's growing refining and petro-chemical industries. Following rapid economic expansion in the early 1970s, the 1976-80 development plan was modified and its publication postponed until 1977. The massive Euphrates dam, opened in 1978 after ten years' construction, aimed at increasing electricity generation and irrigated agriculture.

Syria

1. Introduction

Amnesty International's concerns in Syria are:

- (i) the use of emergency legislation to suppress political opposition and other basic human rights;
- (ii) the prolonged imprisonment without trial of known or suspected political opponents;
- (iii) the abduction of alleged political opponents from Lebanon by Syrian forces and their subsequent detention without trial in Syria;
- (iv) the use of torture to intimidate and to extract "confessions" during interrogation; routine ill-treatment during investigation and as a means of punishment and prolonged solitary confinement of untried political detainees;
- (v) the lack of basic legal safeguards and the holding of trials of political prisoners *in camera* by special security courts created under emergency legislation;
- (vi) The use of the death penalty for both political and criminal offences.

2. The Political Context

Syria's history since independence in 1946 has been dominated by a continuous state of war with Israel. Its geo-political position in the Arab world has made it the object of conflicting external pressures aimed at Syria's alignment with its Arab neighbours. These factors have contributed to a long period of internal instability.

The initial phase of independence was marked by a succession of military *coups* followed by a return to civilian rule in 1954. Union with Egypt followed from 1958 to 1961 under the United Arab Republic headed by President Nasser. The popularity of this union rapidly declined and a Syrian military *coup* brought the union to an end.

The Ba'ath Party: The Arab Socialist Ba'ath (Renaissance) Party was founded in Syria in 1941 by Michel Aflaq and Salah Bitar. Its proclaimed aims are "Arab unity, freedom and socialism". It advocates socialism of a fundamentalist pan-Arab character. Both Syria and neighbouring Iraq are at present Ba'athist-governed. The party's structure takes the form of a Regional Command in each country which is in theory subservient to one National (pan-Arab) Command. As a result of conflicts within the party however, a separate National Command was formed by the Ba'athist leadership in Iraq in 1968. There is at present a National Command in each country.

A succession of different movements within the Ba'ath have acceded to power in Syria from 1963 until the present day. The first Ba'athist government was formed when a military junta, the National Revolutionary Command Council (NRCC), came to power on 8 March 1963, following the accession to power of the Ba'ath Party in neighbouring Iraq. Salah Bitar, who led the civilian wing of the party, headed the Cabinet and in May 1964 a Presidential Council was formed with General Amin Hafez as Head of State.

Socialist legislation, first introduced during the union with Egypt, has been strongly and persistently opposed by the landowners and urban middle classes. In particular, sweeping nationalization measures introduced by the first Ba'athist government led to severe civil disturbances. In January 1965 the government created a military court with jurisdiction over any offences by word or deed against the socialist revolution. This provoked further demonstrations and a strike by shopkeepers in Damascus. Despite amnesties of those arrested during these disturbances and of long-standing political prisoners, this period was marked by numerous political trials, and several death sentences and executions for espionage.

Dissension arose within the Ba'ath between the "orthodox" founders of the party, led by General Amin Hafez, Michel Aflaq and Salah Bitar, who favoured a moderate internal policy with a broad base of popular support, and the "progressives", backed by a group of army officers led by Major-General Salah Jadid. On 23 February 1966 this group seized power by a violent military *coup* with great loss of life and arrested the leaders of the 1963 government. A provisional Command appointed Dr Nureddin Atassi as Head of State and Dr Yusuf Zu'ayyin as Prime Minister. This government introduced close military and economic co-operation with the USSR and gave strong support to Palestinian resistance activities against the state of Israel. The government's basis of popular support was narrow and there were at least two unsuccessful *coups* against it. There were widescale arrests and large political trials before the newly created State Security Court. Dissension within the new Ba'ath leadership grew between the "progressive" civilian wing of Salah Jadid and the more moderate "nationalist" military wing led by Lieutenant-General Hafez Assad. The conflict developed into a crisis over Hafez Assad's opposition to Syrian military intervention in Jordan during fighting between Palestinians and the Jordanian army in 1970.

The present government: Hafez Assad assumed office by means of a bloodless military *coup* in November 1970 and formed a new Regional Command composed of his own supporters. Early in 1971 he assumed the presidency. Salah Jadid and the leading members of the government and party were arrested, as well as a number of their associates who refused to support the new government. Most of these men remain in untried detention. Since 1972 Syria has been governed by the National Progressive Front, a mainly Ba'athist coalition in which three socialist parties and the communist party are represented. In 1971 the People's Council, the first legislative body for six years, was introduced. It currently consists of 195 elected members, of which 159 seats were won by the governing coalition at the most recent election in August 1977. The remaining seats were won by independents. In March 1973 a new constitution was approved by public referendum. Widespread opposition to the perfunctory mention of Islam in the draft constitution had previously led to its amendment to include the clause:

"Islam is the religion of the President of the Republic." Hafez Assad was re-elected for a second seven-year term of presidential office by a popular referendum held in February 1978.

The present government has increased internal stability, as demonstrated by the fact that it has held office for longer than any of its predecessors, and commands wide support for its policies with regard to the Middle East conflict. The government has taken steps to strengthen the small but significant private sector of the economy and has sought a consensus for internal policies, aimed at conciliating divergent sections of Syrian society. However, all political activity outside the governing coalition is prohibited and the press is state-controlled. At the same time the government has moved towards an increasingly centralized presidential system in which President Assad is at once Head of State, Secretary General of the Ba'ath Party and Commander-in-Chief of the armed forces. The Ba'ath Party itself has seemingly declined in importance. State security is maintained directly by the President through the armed forces, a strong security apparatus and a force of some 20,000 "Defence Units" understood to be under the command of the President's brother, Rifa'at Assad.

The need for security has been accentuated by the fact that President Assad is Syria's first 'Alawi Head of State. The 'Alawi, a Muslim sect of Shi'i derivation, account for about 10 per cent of the population. They have traditionally been among the poorest of Syria's minorities. Their rapid increase in power has been a cause of major discontent. From 1976 there have been numerous acts of sabotage, assassinations of prominent 'Alawis and attempted assassinations of members of the leadership. Reports suggest that responsibility may have lain with members of extremist religious movements such as the Muslim Brotherhood. Fifteen alleged members of this movement were executed in June 1979 for crimes ranging from murder to membership of armed gangs. Three others sentenced to death had their sentences commuted to life imprisonment for their cooperation with the security authorities. In the same month over 50 military cadets, reported to be predominantly 'Alawi, were massacred in an artillery school in Aleppo. The government attributed this massacre (a serious act of opposition to its leadership) to the Muslim Brotherhood. Fourteen of its members have reportedly been sentenced to death, twelve *in absentia*.

The government had previously attributed to Iraq the assassinations and acts of sabotage which occurred in 1976 and 1977, following a serious rift with Iraq caused partly by ideological conflict between the two rival Ba'athist-led governments. This prompted many arrests of suspected pro-Iraqi Ba'athists from 1975 onwards. In October 1978, however, Syria and Iraq signed a "National Charter for Joint Action" calling for an end to the dispute and steps towards union of the two countries' governments. In June 1979 a "unified political leadership" was announced which pending the establishment of constitutional unity would meet every three months.

In 1975 civil war broke out in Lebanon between Christian and Muslims. Syria's military intervention in June 1976 temporarily reversed what had been its strong support for the Palestinians in Lebanon, and for their alliance with a coalition of Lebanese left-wing, mostly Muslim, parties. This intervention elicited sharp criticism within the Arab world. Although an Arab Deterrent Force (ADF) was

set up by the Arab League in November 1976 to replace the Syrian army in a peacekeeping role, the force has remained predominantly Syrian. The maintenance of some 30,000 troops in Lebanon has posed serious problems for the Syrian economy. In 1976 and 1977 several hundred Lebanese and Palestinians were abducted from Lebanon and detained in Syria, often for several months, for participation in the fighting or for their support of the opposing sides.

There has been widespread discontent at the increasing gap between rich and poor caused by rapid inflation since 1976. It has been exacerbated by evidence of widespread corruption. In 1977 a Committee was appointed by legislative decree to investigate and request disciplinary or legal action against those suspected of corruption. The Committee is empowered to issue temporary arrest warrants.

In 1978 there was action among some professional groups, notably writers and lawyers, aimed at abolishing many of the present restrictions on their activities.

In March 1979 detentions and harassment of members of the Jewish community in Syria were reported to have taken place as a result of a number of unauthorized emigrations. Although many restrictions previously imposed on the Jewish community were reportedly lifted in 1976 and 1977, emigration is still restricted.

3. The Legal Situation

(i) *Legislation under which prisoners are held*

All political prisoners whose cases are known to Amnesty International are detained under the provisions of emergency legislation (*hukm al 'urfi*). The terms of the state of emergency declared on 8 March 1963 are regulated by decree No. 51 of December 1962; decree No. 47 of 28 March 1968 provides for State Security Courts to deal with offences under emergency legislation provisions.

(a) *Decree No. 51 of 22 December 1962: Law for a State of Emergency and its amendments.* This replaced the previous state of emergency law No. 162 of 27 September 1958 while retaining its special powers relating to investigation, assignment, trial and suspension of trial procedures. This decree requires the President of the Republic to appoint an Emergency Law Governor (*hakim al 'urfi*) when a state of emergency is declared and to invest him with "all powers over internal and external state security" (article 3(a)). The Emergency Law Governor is to appoint one or two assistants and to depute to them the area of jurisdiction of his choice. He may order "the placing of restrictions on the freedom of individuals in respect of meetings, residence and changes of residence involving passage through particular places at particular times; precautionary arrest of suspects or of anyone endangering public security and order; authorization to investigate persons and places; delegation of these tasks to a person of his choosing" (article 4(a)). Among his many powers he may order censorship of all written or spoken communications. Violation of his orders are to be judged before a military court. This decree does not provide for any time limit to these restrictions.

(b) *Decree No. 47 of 28 March 1968: Formation of a State Security Court (Mahkamat amn al dawla).* This decree provides for the formation by presidential decree of one or more State Security Courts which may be convened in Damascus

or in any other city at the instance of the Emergency Law Governor. The court is composed of a chairman and a number of members appointed by presidential decree. The public interest is represented by the office of the Attorney-General, whose officials are also designated by presidential decree. Its verdicts are not subject to appeal and must be ratified by the President of the Republic, who may suspend or vacate the verdict, order a retrial or reduce the penalty. Suspension has the effect of total pardon. The decision of the President of the Republic is final.

The State Security Court replaced the Military Courts previously established by decree No. 6 of 7 January 1965 while retaining the latter's jurisdiction over certain specified forms of collusion in any verbal or physical act hostile to the aims of the (Ba'athist) revolution; attack on any public or private establishment, incitement to disturbance, strife or demonstrations; "actions held to be incompatible with the implementation of the socialist order in the state whether they are performed, spoken or written, or come about through any means of expression or publication" (article 3(a) of decree No. 6); offences contrary to any "legislative decrees which have been or are to be issued and are connected with the socialist transformation" (article 3(b) of decree No. 6); offences against state security; and violations of the Emergency Law Governor's orders. The court also has jurisdiction "over any other case referred to it by the Emergency Law Governor" (article 5 of decree No. 47). This in effect prohibits any form of political expression not approved of by the government. Furthermore, "although the rights of defence laid down in current legislation shall be retained, the State Security Court shall not be confined to observe the usual measures prescribed for them [the rights of defence] in current legislation in any of the stages and proceedings of investigation, prosecution and trial" (article 7(a)).

These decrees and their amendments invest the executive with sweeping powers to suspend a broad range of internationally recognized political and legal rights, which are moreover specifically guaranteed by the Syrian constitution of 1973. Under the state of emergency this legislation has been widely used to detain known or suspected political opponents of a non-violent nature for long periods of time without trial or legal proceedings. Political offenders charged with security-related offences are generally tried before the State Security Court. The Emergency Law Governor is understood to be the Minister of the Interior, who has been so delegated by the Prime Minister.

The misuse of detention powers under emergency legislation in cases not related to state security was publicly admitted by President Assad in his speech before the People's Council on 8 March 1978, on taking oath on his re-election as President of the Republic. The President specifically prohibited its further misuse. On 9 March, 179 people wrongly detained under emergency legislation—the majority reportedly for minor civil infractions—were released. However, political opponents, both long-term detainees and those arrested since March 1978, have continued to be detained without benefit of due legal process.

(ii) *Legal/administrative detention procedures*

(a) *The judiciary.* There are three levels of courts: First Instance, Appeals and Cassation, as well as Summary Courts dealing with civil and penal cases. Personal

Status Courts rule on matters of personal and family law for the different religious communities. In all these areas the courts retain considerable independence. State Security Courts and Military Courts have jurisdiction over cases involving defendants charged with security-related offences and members of the armed forces. There is, in addition, a Constitutional Court.

The Syrian Bar Association is concerned to maintain the integrity of the Syrian judiciary. In June 1978 the Damascus Bar Association submitted a resolution to the General Conference of the Syrian Bar Association calling for: the lifting of the state of emergency and amendment of emergency legislation; the abolition of the State Security Court and its boycott by all lawyers; and the release of all political detainees or their fair and open trial by civilian courts, with all due rights of defence. A human rights commission was subsequently formed with the objective of monitoring the observance of political and legal rights.

(b) *Arrest process.* The emergency legislation invests the security forces with wide powers to arrest and detain suspects for an indefinite period. The vast majority of non-violent political detainees, in the absence of firm evidence against them, remain without trial under the authority of the security forces for the duration of their detention. The secrecy surrounding the application of emergency legislation to political detention makes it difficult to determine the criteria for initiating trial proceedings. However, reports considered reliable by Amnesty International indicate that political cases are referred to the security courts only when "hard" evidence exists—"confessions" extorted under duress not being considered by the courts to provide sufficient grounds for eventual conviction. Cases tried before the courts are mainly for security-related offences such as sabotage or espionage.

(c) *Conduct of trials.* Procedures in trials by the State Security Courts are governed by decree No. 47 of 28 March 1968, as described earlier in this section. Trials take place *in camera*. Defence lawyers may be engaged, but, as explained previously, the court is not obliged to observe the rights of defence laid down in current legislation at any stage of the proceedings. Prior access to defence counsel in accordance with internationally recognized norms is reported to be frequently denied. Defendants may be acquitted. Little information on the conduct of trials of political cases is available owing to their closed nature.

In certain cases trial proceedings may be summary. In the case of the violent attack carried out on the Semiramis Hotel in Damascus in September 1976, three persons arrested during the attack were sentenced to death by the Higher Division of the State Security Court, their sentences ratified by the President of the Republic and a "confession" made to television and radio reporters on the same day on which the attack took place. Execution by public hanging took place at dawn on the following day.

(d) *Release process.* The release of political detainees appears to be as arbitrary as arrests. It is reliably reported that the release of detainees deemed to be of importance is secured by private negotiation in return for a pledge to cease all political activity and, on occasion, to live in voluntary exile. In law, convicted political prisoners may on application be released after serving three-quarters of

their sentence. However, one political prisoner under adoption by Amnesty International has remained imprisoned four years after the expiry of his sentence.

(iii) *International legal instruments*

Syria is a member of the United Nations and has ratified a number of its human rights conventions, among which are the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights*. It has not signed the *Optional Protocol* to the latter Covenant.

In accordance with article 40 of the *Covenant on Civil and Political Rights*, Syria has submitted its initial report to the Human Rights Committee in implementation of the Covenant's provisions. In response to a number of questions posed by members of the Committee during their consideration of the report on 16 August 1977, the Syrian representative stated *inter alia* that anyone inflicting torture was punished under the law and that the death penalty was imposed only for the most serious crimes and rarely implemented and undertook to refer other questions to the Syrian government for further information. Among these questions members of the Committee asked for information on emergency regulations and political detention.

4. Number and Analysis of Prisoners

The great majority of political prisoners in Syria are detained without trial under emergency legislation. The duration of such detention is frequently prolonged.

A number of factors make it difficult to determine the number of untried political prisoners in Syria:

- the numbers of political detainees are known to fluctuate extensively according to the internal situation at any given time. Large groups of people may be detained for investigation or as a precautionary measure following any manifestation of internal unrest;
- arrests are conducted by various separate branches of the security forces, each acting independently and holding detainees in its own custody. Arrests are not officially acknowledged (except in some security-related cases where legal proceedings have been initiated) and detainees are frequently held incommunicado for several months;
- all political parties outside the governing National Progressive Front are prohibited, rendering active political opposition clandestine. Moreover, because much of the opposition is not politically organized beyond small local or regional movements, detentions remain for the greater part undocumented;
- the wide powers of the security forces have led to the practice of arbitrary arrests and detentions. Reports indicate that arrests have sometimes been carried out by individual members of the security forces for purely personal motives. Victims of such arrests often include friends and relatives of suspected political opponents. The people most liable to remain in detention generally lack the social and financial status likely to secure their release.

Amnesty International estimates that the total number of untried political detainees is at least 350 at any one time, and on occasions increases to approaching one thousand.

Those detained for political opposition may be identified within the following categories:

- *opposition by the Muslim Brotherhood and its offshoots*: strong opposition from within the fundamentalist Sunni Muslim community is related to the government's secularist socialism and 'Alawi domination and has been strengthened by current religious revivalism in the Muslim world. They are detained in prisons throughout the country and are believed to account for a considerable proportion of current political detainees. Their actual numbers are impossible to determine since the movement is not centrally organized. The movement has been held responsible for acts of violence and political assassinations from 1976. Eighteen alleged members were sentenced to death in June 1979. Fifteen sentences were carried out; three were commuted to life imprisonment. Following the June 1979 massacre of over 50 military cadets in Aleppo, fourteen alleged members of the movement were sentenced to death, twelve *in absentia*.
- *divergent movements within the Ba'ath Party*: these include some twenty leading party and government members of the 1966-70 regime who have been detained in Al Mezze prison since 1970-71. Among these are the former President Dr Nureddin Atassi, the former Prime Minister Dr Yusuf Zu 'ayyin, and Salah Jadid, the leading force of the regime. A number of their supporters have been detained since 1971 for refusing to cooperate with the present government. Distinct from this group, numerous supporters of the first Ba'athist government of 1963-66 have been detained. Many of these people are ideologically closer to the Iraqi Ba'ath Party than to the present-day Syrian Ba'ath Party. Considerable numbers of alleged "pro-Iraq" Ba'athists were arrested from 1975 onwards when relations between the two countries severely deteriorated. It is not known at the time of writing how many of these remain in detention since Syria and Iraq took steps to unify by signing a National Charter of Joint Action in October 1978 and forming a "unified political leadership" in June 1979.
- *Marxist groups*: the Communist Party is split between the Soviet-oriented wing led by Khaled Bakdash, which is represented in the ruling coalition, and a splinter group which was created in 1974 under Riad Turk following persistent dissension in the party. The Riad Turk wing is prohibited and three of its members are known to be in detention at the time of writing, including Omar Kashash, a member of the party's Political Bureau and a prominent trade unionist, who was arrested in June 1978 and was detained as of February 1979 in Sheikh Hassan prison. In addition there are a number of small Marxist fringe groups including the League of Communist Action (*Rabitat al 'Amal al Shuyu 'i*), the Workers' Revolutionary Party (*Hizb al 'Umal al Thawri*) and the Workers' Union (*Ittihad al Shaghila*). These groups draw their main support from intellectuals and students. The numbers of Marxists in detention reportedly increased during 1978, with the arrests of some sixty supporters in the middle of that year. It is estimated that a minimum of 100 Marxists are detained at present.
- *Nasserist and socialist movements*: the main Nasserist party, the Arab

- Socialist Union (*al Ittihad al Ishtiraki al 'Arabi*), is split into two wings: a section represented within the government coalition, and an opposition movement led by Dr Jamal Atassi. The numbers of Nasserists (supporters of the policies promoted by the late President Nasser under the Syrian-Egyptian Union of 1958-61) currently in detention are believed to form a substantial proportion of the number of political detainees in Syria. No accurate figure is available because of the regional nature of the various movements which fall within the definition of the Nasserist and socialist opposition.
- *the Kurdish Democratic Party (KDP)*: a group of some nine Syrian members of the KDP has been detained since 1973 for protesting about the displacement of Syrian Kurds from the three main Kurdish areas in the north of the country to an area near the Euphrates. Under what is known as the Arab Belt Plan the Kurdish areas were to be repopulated by Arab Bedouins from the south. The place of detention of the Syrian Kurds is frequently changed—most recent reports indicated that their leader, Daham Miro, and five others were detained in January 1979 in the civilian prison of Hasakeh, while Kanaan Agid and two others were held in the civilian prison in Aleppo. In addition, several Iraqi Kurds—previously involved in the Kurdish fighting in Iraq until 1975—were reported to have been arrested for support of the KDP. It is not known if they are still in detention.
- *Palestinians*: in addition to some prominent Palestinians in detention in Al Mezze prison since 1971 for their refusal to support the present government, a number of politically motivated Palestinians have been reportedly arrested in past years for activities in connection with extremist Palestinian movements. In 1976 the numbers of Palestinians in detention were greatly increased as a result of Syrian intervention in the Lebanese civil war (see below).
- *political detainees abducted from Lebanon*: a large number of people have been arrested in Lebanon by members of the Syrian security or armed forces and detained in Syria without trial. These consist of:
 - a small number of Syrians and Lebanese who have been detained in Syria for several years without trial for expressing opinions critical of the Syrian government;
 - a larger number, reportedly several hundred in 1976-77, of Lebanese and Palestinians detained in Syria without trial for periods often of some months. These include both active participants in the Lebanese civil war and its aftermath and partisans of the opposing sides. Amnesty International has the names of several people who were so abducted and detained during this period for their support of the Iraqi wing of the Ba'ath Party. The overall number of abductions is, however, understood to have greatly decreased since 1978.

Convicted political prisoners

A separate category of political prisoners is that of politically motivated prisoners who have been tried and sentenced for offences against internal state security, in particular conspiracy, espionage and sabotage. Since trials take place *in camera*, and information on them is rarely made public, it is generally impossible to assess the veracity of the charges or the numbers of people convicted.

5. Prisons and Detention Centres

Immediately after arrest political detainees are generally held for investigation at one, or at a series, of the many detention centres controlled by different branches of the security forces, which range from simple houses or floors in buildings to establishments capable of holding up to approximately a hundred people. The detention centres known to Amnesty International are located in Damascus or its suburbs. They include the following, identified by the names by which they are commonly known:

Halbuni is one of the largest detention centres, holding from 20 to 100 detainees. There are five communal cells and six solitary cells for detainees undergoing interrogation, built around a courtyard. The main building of three storeys is used for administration, but includes one cell with bed and carpet for prisoners considered to be of importance. The majority of inmates are political detainees but at times include teenage children held on criminal charges. Consistent reports of severe and routine torture have been received, and in 1974 a car tyre and a length of rubber hose was kept outside the solitary cells for the practice of torture by the means known as *dullab*. Beating has been reported to be routine practice. The use of electrical torture has also been frequently reported. These practices apparently take place on a separate floor above the communal cells;

Qabun is located within a complex of buildings belonging to the military police. It is another of the larger centres measuring some 40 x 14 metres and containing four communal cells housing varying numbers of detainees and approximately 12 solitary cells. The centre is used exclusively for political detainees. It reportedly contains a basement where ill-treatment or torture is carried out;

Sheikh Hassan is a two-storey building with a basement. It contains two large communal cells and approximately 16 solitary cells, which are poorly lit and ventilated but contain simple sanitary arrangements. Reports indicate that one room is reserved for interrogation and that in another ill-treatment or torture is practised;

Shahlan is located in the basement of a multi-storey apartment building and contains approximately 12 solitary cells. It has one lavatory with simple washing facilities. There is no exercise area and food is brought in from outside;

Kasa'a is contained in a building belonging to the Ministry of Defence;

Rowda is a two-storey house in the Abu Rumana district of Damascus containing about five cells and a cellar measuring approximately 6 x 4 metres; this is the headquarters of the branch of the security service which is responsible for both Palestinians and Jews.

At the conclusion of the investigation, political detainees may remain in one of the larger of these detention centres, such as Halbuni, or be transferred to either a civilian or a military prison, depending on the severity of the case.

There are civilian prisons in most towns, including Damascus (Qala'a prison), Aleppo, Hama, Homs, Latakia, Hasakeh and Qamishli. Political detainees and convicted common law prisoners are held in these prisons. Detainees are generally housed in very large communal cells. Ill-treatment is uncommon in civilian prisons, being reserved as a means of punishment. In some provincial prisons political de-

tainees may share cells with common law prisoners, although in Qala'a prison in Damascus separate accommodation is provided, both in several large communal cells and in approximately 20 to 25 smaller cells for one to four detainees each. Qala'a has two courtyards where ball games are played. Some long-term political detainees are rotated from one civilian prison to another at frequent intervals.

Political detainees whose cases are considered of greatest importance are detained immediately upon arrest at Al Mezze military prison near Damascus. This consists of six communal cells each holding 30 to 40 people, three two-person cells and approximately 40 solitary cells, all reserved for political detainees. Separate communal cells of the same size are used for military prisoners on another floor. The prison has a courtyard for exercise and a small clinic. It houses members of the previous government still in detention, including the former President and Prime Minister. It is used for both long-term and short-term detainees.

Another maximum security prison reportedly used for political detainees is Tadmur prison near the ancient site of Palmyra, which is part of an army compound. In addition to accommodation and a recreation ground for members of the armed forces, there are reportedly four communal cells for detainees, believed to be long-term. Little information is available about this prison owing to its remote location.

6. Conditions of Imprisonment

Conditions of imprisonment of political detainees vary greatly. They depend largely on the stage of investigation and also on the social and financial status of the prisoner and his relationship with prison officials. In general, strict discipline prevails in military prisons and detention centres, while conditions are much more relaxed in civilian prisons, where no distinction is made in the treatment of political and common law cases.

On arrest political detainees are held for investigation by the security forces at one of the detention centres. Cases considered to be of particular importance are interrogated at Al Mezze military prison near Damascus. During this stage detainees are often held incommunicado for an undetermined period of interrogation, in some instances accompanied by ill-treatment or torture. Throughout the period no communication is permitted with family, lawyer or fellow-prisoners.

In general the following conditions prevail:

- cells are often poorly ventilated and lit and communal cells are frequently subject to massive overcrowding. Beds are often made of concrete platforms with insufficient bedding. Sanitary facilities of a basic nature are available, showers and laundry facilities being provided on average once a week. Hygiene varies considerably, being of a high standard in Al Mezze but inadequate in other prisons. Food rations are generally at minimum standards, but vary widely in different prisons. In the smaller detention centres relatives may bring in food for the prisoners. In the civilian prisons detainees often do their own cooking on stoves provided. In nearly all cases extra food may be purchased from outside by prison guards and food parcels may be received. Exercise of two hours daily is usual in prisons and the larger detention centres
- medical care is available on demand. Larger prisons have a resident doctor.

No dental care is provided. Necessary drugs must be purchased by the prisoner's families. Al Mezze prison contains a small clinic. Until 1974 some political detainees at Al Mezze were allowed medical treatment at the adjacent military hospital. This was stopped after the escape of a former prisoner in that year;

- visits are granted by prison authorities on an arbitrary basis. In Al Mezze visiting relatives are separated from detainees by a metal screen and conversations are monitored by officials. In civilian prisons conditions for visits are much more relaxed. Visits are most generally reported to take place on a monthly basis. However, they depend largely on the stage reached in investigation and the relations between individual detainee and prison official;
- prisoners are not allowed reading material (other than that provided in the prison), newspapers, radio or the right to correspond.

7. Allegations of Torture and Death Under Torture

Consistent allegations of torture in recent years indicate that torture is commonly employed in detention centres and military prisons, where it is used during interrogation in order to obtain "confessions" by detainees. It is also reportedly used in some cases as a means of punishment.

Various methods of torture are allegedly used during interrogation under the supervision of officers of the security forces. There is evidence that different methods of torture are applied in sequence, in increasing order of severity. The following methods are reported to be most commonly used:

- beating by hand or stick for prolonged periods while the prisoner is in a standing position;
- whipping by plastic or rubber hose while forcing the prisoner through a suspended motor-car tyre (*dullab*);
- beating on the soles of the feet while the prisoner is strapped to a table (*fallaka*);
- burning with cigarette lighters and by applying petrol to parts of the body such as the toes which are then set alight;
- simulated executions;
- immersion to the point of near asphyxiation;
- use of electricity on sensitive parts of the body, particularly the genitals.

In 1977 an Amnesty International medical team in Denmark examined a foreign national who had been imprisoned in Syria from 1972 to 1977. Although the examination took place five years after torture had been alleged the medical findings were consistent with the allegations. The victim claimed that he had been subjected to the following treatment: beating on all parts of his body by hand, plastic hose and an electric cable, sometimes while suspended in a motor-car tyre; stabbing with various sharp instruments; electrical torture, especially to eyes, ears, mouth and genitals; and second-degree burns inflicted by setting light to cotton wool moistened in alcohol inserted at the interstice of the first and second toes; forced standing; sham executions, and seven months of isolation. The medical examination revealed a mild hearing impairment in the right ear; sequelae to a fracture of one toe; numerous scars in the lumbar region

compatible with the infliction of stab wounds and blows; and a state of mental inactivity and depression. A rusty needle measuring 11 x 1.2 mm embedded in scarred, subcutaneous tissue was removed under local anaesthesia. Amnesty International gave a copy of its medical team's report to the Syrian government, but has received no reply to its request for confirmation or denial of its findings.

Nine deaths were reported to have occurred between 1975 and 1977 as a result of torture. Reportedly 'Abdel Waked Isma'il Khalif, a 27-year-old teacher from Hasakeh, died in April 1975, one month after arrest; Zuheir Shukeir, a 21-year-old student from Damascus, died in July 1975; Safi Shatti Mubarak, a peasant from Hasakeh, died nine days after arrest in December 1975; Sobhy Saleh 'Othman, a student at Damascus University, died in February 1976; Tarik Haydari, a 40-year-old lawyer from Aleppo, died in July 1976, as a result of torture reportedly received in Al Mezze prison in 1975; 'Adel Kayali, another lawyer from Aleppo, died ten days after arrest in July 1976; two Palestinians, 'Abdel Wahal Tayeb and Mr Aggab, died in early 1976 in Al Mezze prison; 'Abdel Ghani 'Attar, a Damascus businessman, died three months after arrest in September 1977. All cases, except the last, were believed to have been political detainees.

8. The Death Penalty

The Syrian Penal Code provides for the death penalty for the following offences against external and internal state security:

- bearing arms in the ranks of the enemy;
- successful conspiracy or contact with any foreign country to encourage it to take hostile action against Syria;
- conspiracy or contact with the enemy to bring about the defeat of the army;
- attempt to paralyse the country's defences in time of war or at the outbreak of war;
- successfully causing civil or sectarian strife by arming the Syrian people or by arming some portion of the population against the rest;
- incitement to kill or to plunder premises;
- commission of a terrorist act if it leads to the death of a human being or the partial or total destruction of a building if one or more persons are inside.

In addition, decree No. 6 of 7 January 1965, introduced by Syria's first Ba'athist-led government and still in force, prescribes a mandatory death penalty for certain specified forms of collusion in any verbal or physical act hostile to the aims of the (Ba'athist) revolution and for attack on any public or private establishment, incitement to disturbance, strife and demonstrations. It prescribes a non-mandatory death sentence for: "actions held to be incompatible with the implementation of the socialist order in the state whether they are written, spoken or enacted, or come about through any means of expression or publication" (article 3(a)) and all offences against "legislative decrees which have been or are to be issued in connection with the socialist transformation" (article 3(b)).

Use of the death penalty is reserved for the most serious crimes. From 1975-

1978, 17 executions were reported to Amnesty International. In addition, three death sentences were passed *in absentia*, and seven were commuted to varying terms of imprisonment. Of the 17 executions, 13 were on convictions for acts of sabotage and four on convictions for murder with assault. Those death sentences passed for acts of sabotage were imposed by the Higher Division of the State Security Court.

Out of the 17 executions 12 were imposed by means of public hanging. The bodies were draped in white and left hanging for several hours in prominent public places.

On 27 June 1979 death sentences were imposed by the Higher Division of the State Security Court on 18 alleged members of the Muslim Brotherhood for crimes ranging from murder to membership of armed gangs. On 28 June 15 of those convicted were executed: 14 civilians by hanging and one member of the armed forces by firing squad. Three sentences were commuted to life imprisonment for cooperation with the security authorities.

A further 14 other death sentences of which 12 were *in absentia* were reportedly passed in June 1979 by the State Security Court following the massacre of over 50 military cadets in an artillery school in Aleppo on 16 June 1979.

9. Action by Amnesty International

(i) Individual Amnesty International groups were active in July 1979 on the cases of more than 157 people believed to be detained without trial in Syria.

Amnesty International adopts as "prisoners of conscience" all political detainees who are believed to have been imprisoned for the non-violent expression of their political or other conscientiously held beliefs. It urges the Syrian government either to bring charges against such detainees in a fair and open trial before a civilian court or to release them immediately and unconditionally.

(ii) Amnesty International opposes the use of torture and the death penalty in all circumstances. It has expressed its concern over these practices to the Syrian government on numerous occasions.

(iii) Amnesty International has on several occasions urged the Syrian government to release or provide hospital or adequate medical treatment for seriously ill political detainees.

(iv) Amnesty International has sent three missions to Syria:

- in May 1972 Amnesty International's Secretary General discussed with the Minister of Interior and Deputy Minister of Justice the cases of the former government and party officials detained without trial since 1970-71; the reported detentions of Syrian Jews at that time and restrictions imposed on the Syrian Jewish community; and the case of the imprisoned Kurdish nationalist Osman Sabri, since released;
- in October 1974 a three-person commission visited both Syria and Israel to investigate allegations of ill-treatment and torture of prisoners of war repatriated following the 1973 Arab-Israeli war. A report of the mission's findings was published in 1975. Amnesty International urged both govern-

ments to permit an independent investigation of similar allegations concerning civilian prisoners;

- in March 1978 Amnesty International delegates visited Syria and raised the following specific matters of concern with the Minister of Justice:
- the prolonged detention without trial of alleged political opponents, naming 74 such cases taken up by Amnesty International;
- the abduction from Lebanon and detention without trial of political opponents and, from 1976, of large numbers of alleged partisans of opposing parties to internal Lebanese hostilities;
- the use of ill-treatment and torture. The delegates requested a governmental inquiry into its reported practice in Halbuni prison, Damascus, by a prison officer named by Amnesty International. They also urged a full investigation into a medical report of an examination by an Amnesty International team of doctors in Denmark of a released prisoner which was found to be consistent with allegations of torture.

Amnesty International has urged the Syrian government to conduct a full inquiry into the matters raised during the mission.

These papers are intended to summarize available information on political imprisonment, torture and the death penalty in a single country or territory governed by a specific political authority. They are designed to be concise and factual and are written primarily for reference purposes.

Since Amnesty International is limited by its statute to act only in specific human rights situations, reference is made to the political, economic and social situation in each country *only where this has direct relevance to particular human rights problems*. The information contained in each paper is accurate at the time of publication.

AMNESTY INTERNATIONAL is a worldwide movement which is independent of any government, political grouping, ideology, economic interest or religious creed. It plays a specific role within the overall spectrum of human rights work.

The activities of the organization focus strictly on prisoners:

- it seeks the *release* of men and women detained anywhere for their beliefs, colour, sex, ethnic origin, language or religion, provided they have not used or advocated violence. These are termed "*prisoners of conscience*";
- it advocates *fair and early trials* for all *political prisoners* and works on behalf of such persons detained without charge or without trial;
- it opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners* without reservation.

AMNESTY INTERNATIONAL acts on the basis of the United Nations *Universal Declaration of Human Rights* and other international instruments. Through practical work for prisoners within its mandate, Amnesty International participates in the wider promotion and protection of human rights in the civil, political, economic, social and cultural spheres.

AMNESTY INTERNATIONAL has over 2,000 adoption groups and national sections in 38 countries in Africa, Asia, Europe, the Americas and the Middle East, and individual members, subscribers and supporters in a further 85 countries. Each adoption group works on behalf of at least two prisoners of conscience in countries other than its own. These countries are balanced geographically and politically to ensure impartiality. Information about prisoners and human rights violations emanates from Amnesty International's Research Department in London.

AMNESTY INTERNATIONAL has consultative status with the United Nations (ECOSOC), UNESCO and the Council of Europe, has cooperative relations with the Inter-American Commission on Human Rights of the Organization of American States and is a member of the Coordinating Committee of the Bureau for the Placement and Education of African Refugees of the Organization of African Unity.

AMNESTY INTERNATIONAL is financed by subscriptions and donations of its worldwide membership. To safeguard the independence of the organization, all contributions are strictly controlled by guidelines laid down by AI's International Council and income and expenditure are made public in an annual financial report.

Briefing Paper No. 16

©Amnesty International Publications 1979

ISBN: 0 900058 96 X

First published October 1979

Original language: English

AI Index: MDE 24/04/79

Published by Amnesty International Publications

Printed in Great Britain by the Russell Press Ltd., Gamble Street, Nottingham