

The Observatory

for the Protection
of Human Rights Defenders

a joint programme



Euro-Mediterranean Human Rights
Network (EMHRN)

Press Release

Syria

Unfair trial of Aktham Naisse, President of the CDF, before the Supreme State Security Court

Damascus - Copenhagen – Geneva – Paris, 27 July 2004 - The Euro-Mediterranean Human Rights Network (EMHRN) and the Observatory for the Protection of Human Rights Defenders (FIDH and OMCT joint programme) are deeply concerned over the trial of Mr. Aktham Naisse, which took place on July 26, 2004 before the Supreme State Security Court (SSSC) in Damascus. Aktham Naisse, President of the Committees for the Defence of Human Rights and Democratic Freedoms in Syria (CDF), has been detained since April 13, 2004.

Mr. Naisse has been charged with “opposing the objectives of the revolution”, “disseminating false information aiming at weakening the State” and “affiliating with international organisations”. However, as a consequence of an amnesty granted by the Syrian President on July 15, 2004, the court dropped the later charge, which is punishable with up to three years imprisonment. If convicted on all remaining counts, Mr. Naisse risks up to 15 years of forced labour.

The Court initially prevented international observers from attending the hearing. However, after negotiations, the court allowed the international observers sent by the Observatory, Mr. Hafez Abu Seada (Secretary General of the Egyptian Organisation for Human Rights) and Mr. Mokhtar Trifi (President of the Tunisian League for Human Rights), as well Mr. Negad El Borei, Egyptian Attorney of Law sent by the EMHRN to observe the trial, as Arab lawyers member of the defence team. However, other observers from EU member States (Netherlands and Great Britain), the European Commission's delegation to Syria, and the United States were not allowed to enter the room.

The EMHRN and the Observatory are concerned that the Supreme State Security Court does not respect all the guarantees of a fair trial. Particularly worrying in this regard, is that usual criminal procedures relative to a fair trial are not applicable before this Court (according to decree 47 passed in 1968). In addition, the SSSC does not fall under the authority of the higher judiciary but under the National Security Office of the Baath Party. Moreover, one military judge is among the panel of three judges. The decisions of the SSSC cannot be appealed.

Mr. Naisse was not allowed to meet privately with his lawyers. The next hearing is to take place on August 16, 2004. A group of 76 lawyers have constituted a defence committee for Mr. Naisse.

Since his arrest on on April 13, 2004, Mr. Naisse has been held in solitary confinement at Sednaya prison. He appeared yesterday to be in poor health and requested to be sent to hospital. During the first week of his detention, he suffered from a stroke which left him partially paralysed. Although he seems to have recovered from his paralysis, he is still in need of adequate medical treatment.

Mr Naisse has been repeatedly harassed for many years for his activities in favour of human rights in Syria, in particular by recurrent notifications and interrogations. The Observatory and EMHRN consider his detention to be arbitrary because it only sanctions his right to freedom of expression and association.

The EMHRN and the Observatory call on the Highest Syrian authorities to :

- Guarantee Aktham Naisse's physical and mental integrity;
- Release him immediately and unconditionally;
- Stop the harassment of human rights defenders ;
- Comply with the provisions of the Declaration of human rights defenders adopted on December, 9th 1998 by the UN General Assembly, and notably with the Article 1 : " everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels " ;
- More generally, comply with the provisions of the Universal Declaration of Human Rights and other international human rights instruments to which Syria has committed itself.

In the framework of the negotiations of an Association Agreement between the European Union and Syria, which includes a human rights clause (article 2), the Observatory and the EMHRN call on the EU to put appropriate pressure on the Syrian authorities to ensure that Aktham Naisse will be immediately released and that human rights be respected in Syria.

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