

URGENT APPEAL - THE OBSERVATORY

SYR 008 / 0611 / OBS 092

Arbitrary detention / Judicial harassment

Syria

June 20, 2011

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), requests your urgent intervention in the following situation in **Syria**.

Description of the situation:

The Observatory has been informed by reliable sources about the arbitrary detention and judicial harassment of Messrs. **Osama Nassar, Mutaz Mourad, Mohammad Alammar** and **Anas Al-Shughri**, four community-level social activists involved in activities promoting non violence, democratic reforms, the lift of the state of emergency, the right to freedom of peaceful assembly, national reconciliation, the release of prisoners of conscience and the fight against corruption. During the past months, they have monitored and alerted on human rights violations committed during the repression of the peaceful protest movement.

According to the information received, on May 1, 2011, Mr. Osama Nassar was arrested in Darya by a group of armed security forces who entered his house without any warrant in the middle of the night. To date, he remains detained without charge by the Darya State security branch. He has not been allowed any visits by his family and lawyer so far¹.

On the same day, Mr. Moutaz Mourad was arrested in the city of Darya. He was taken to a detention centre operated by the secret branch of the Syrian Air Force, where he is still detained to date, without access to his family and lawyer nor any information on the existence of charges held against him.

On May 3, 2011, Mr. Mouhammad Alammar was arrested by the political security branch and his whereabouts remained unknown until May 11, 2011, when his family was informed that Mr. Alammar was detained in the Adra prison, in Damascus, where he remains detained to date, on charges of "damaging the prestige of the State", "weakening national sentiment or incite racial or sectarian strife made during times of war or in anticipation of war", "spreading news that might weaken the moral of the nation" and "holding secret unauthorised activities and meetings". His trial is scheduled to begin on June 29, 2011.

Finally, on May 15, 2011, Mr. Anas Al-Shughri was arrested by security forces near Banyas. No information has been given since then about his whereabouts and the existence of charges against him.

The Observatory strongly condemns the arbitrary detention of Messrs. Osama Nassar, Mutaz Mourad, Mohammad Alammar and Anas Al-Shughri, which seem to merely aim at sanctioning their human rights activities, and fears for their physical and psychological integrity amid the current general crackdown against peaceful protesters by army and security forces in Syria since March 16, 2011.

¹ Mr. Osama Nassar had been previously arrested, on March 16, 2011 after a peaceful gathering held before the Ministry of Interior to call for the release of their relatives and all prisoners of conscience in Syria. On March 27, 2011, he was released on bail but charges against him remained pending for violating Article 285 of the Criminal Code which criminalises "allegations that weaken national sentiment or incite racial or sectarian strife made during times of war or in anticipation of war" and Article 307 which punishes "deeds committed, writings composed, or speeches held with the intention of inciting sectarian or racial strife or provoking conflict between the religions and the various members of the nation".

Actions requested:

Please write to the Syrian authorities, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Messrs. Osama Nassar, Mutaz Mourad, Mohammad Alammam and Anas Al-Shughri;
- ii. Disclose the whereabouts of Mr. Anas Al-Shughri;
- iii. Ensure the immediate and unconditionally release of Messrs. Osama Nassar, Mutaz Mourad, Mohammad Alammam, and Anas Al-Shughri since their detention is arbitrary and only aims at sanctioning their human rights activities;
- iv. Put an end to any act of harassment, including at the judicial level, against Messrs. Osama Nassar, Mutaz Mourad, Mohammad Alammam, and Anas Al-Shughri and more generally against all human rights defenders in Syria;
- v. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General Assembly of the United Nations on December 9, 1998, especially:
 - its Article 1, which states that “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”,
 - its Article 6 (b) and (c), which states that “Everyone has the right, individually and in association with others [...] as provided for in human rights and other applicable international instruments, freely to publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms and [...] to study, discuss, form and hold opinions on the observance, both in law and in practice, of all human rights and fundamental freedoms and, through these and other appropriate means, to draw public attention to those matters”.
 - and its Article 12.2, which provides that “the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration”;
- vi. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Syrian Arab Republic.

Addresses:

- President, His Excellency Bashar al-Assad, Presidential Palace, al Rashid Street, Damascus, Syria Arab Republic, Fax: +963 11 332 3410
- Minister of Defence, His Excellency General, Ali Habib Mahmud, Ministry of Defence, O mayyad Square, Damascus, Syrian Arab Republic, Fax: +963 11 223 7842
- Minister of Justice, His Excellency Mr. Tayzeer Qala Awwad, Damascus, Syrian Arab Republic, Fax: +963 11 666 2460
- Minister of Foreign Affairs, His Excellency Wallid Mu'allim, Ministry of Foreign Affairs, al-Rashid Street, Damascus, Syrian Arab Republic, Fax: +963 11 332 7620
- Ambassador Bashar Ja'afari, Permanent Mission of the Syrian Arab Republic to UN in Geneva, 72 rue de Lausanne, 1202 Geneva, Switzerland, Fax: +41 22 738 42 75, Email: mission.syria@ties.itu.in

- Embassy the Syrian Arab Republic in Brussels, 1 avenue F.D. Roosevelt, 1050 Brussels, Belgium, Tel: +32 2 554 19 22; Fax: +32 2 648 14 85

Please also write to the diplomatic mission or embassy of the Syrian Arabic Republic in your respective country.

Paris-Geneva, June 20, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

To contact the Observatory, call the emergency line:

- E-mail: Appeals@fidh-omct.org
- Tel and fax FIDH + 33 (0) 1 43 55 25 18 / +33 1 43 55 18 80
- Tel and fax OMCT + 41 (0) 22 809 49 39 / + 41 22 809 49 29