

## URGENT APPEAL - THE OBSERVATORY

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**SYR 010 / 0711 / OBS 102**

Arbitrary detention / Judicial harassment

**Syria**

July 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 against Mr. **Mohamed Najati Tayara**, a human rights activist and former member of the Syrian Association for Human Rights.

According to the information received, on May 12, 2011, Mr. Tayara was arrested by three armed members of the political security near Khaled Bin Al-Walid Mosque in Homs on accusation of having denounced human rights violations committed in the context of the violent repression of peaceful protests in the country. On May 14, 2011, he was remanded in custody and transferred to the Central Prison of Homs on charges of "spreading false information" and "weakening national sentiments", pursuant to Article 286 of the Syrian Criminal Code. Despite the first General Amnesty issued by the Syrian President Bashar Al-Assad on May 31, 2011, the referral judge refused to release Mr. Tayara. Then, following the Second General Amnesty on June 21, 2011, the referral judge decided to drop all charges against Mr. Tayara. Yet, the Court Prosecutor appealed this decision and Mr. Tayara currently remains in detention in the Central Prison of Homs, awaiting decision from the Court of Cassation in Damascus.

Initially, Mr. Tayara was detained in a dormitory with 350 other detainees, without appropriate sanitary facilities or medical services. On May 20, 2011, Mr. Tayara started a hunger strike along with other detainees to protest against their detention and was subsequently ordered into solitary confinement. According to the information received, Mr. Tayara would be in a bad health condition. Since his arrest, he has only been allowed weekly visits by his wife and lawyer.

The Observatory condemns the continued detention and judicial harassment against Mr. Tayara, which seem to merely aim at sanctioning his human rights activities and urges the authorities to release him immediately and unconditionally.

### **Actions requested:**

Please write to the Syrian authorities, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of Mr. Mohamed Najati Tayara, as well as of all human rights defenders in Syria, and ensure in all circumstances that Syrian human rights defenders are able to carry out their work without unjustified hindrances;
- ii. Ensure Mr. Mohamed Najati Tayara's access to an appropriate medical treatment;
- iii. Ensure the immediate and unconditionally release of Mr. Mohamed Najati Tayara since his detention is arbitrary and only aims at sanctioning his human rights activities;

iv. Put an end to any act of harassment, including at the judicial level, against Mr. Mohamed Najati Tayara and more generally against all human rights defenders in Syria;

v. Comply with all the provisions of the United Nations Declaration on Human Rights Defenders, in particular with its Article 1, which provides 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 5 (c), which states that “for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at national and international levels (...) to communicate with non-governmental or intergovernmental organizations”, its Article 6 (b) regarding the right “to freely publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms”, as well as with Article 12.2 “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, Ministry of Justice, 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.int](mailto:mission.syria@ties.itu.int)
- Embassy of 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.

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Paris-Geneva, July 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](mailto: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