

SYRIA

HUMAN RIGHTS DEVELOPMENTS

Syria's nascent civil society and human rights movement absorbed a severe blow as government action eroded already limited rights to free expression and association. Between March and August, ten advocates of democratic reform were sentenced to prison terms ranging from two to ten years, convicted on vaguely worded criminal charges such as "attempting to change the constitution by illegal means" and "spreading false information." Activists affiliated with one independent human rights group were also summoned for trial before the military court in 2003. Given the prominence of some of those imprisoned and the legacy of repression under former President Hafez al-Asad, there could be no doubting the intimidating effect of these measures on other proponents of political reform and human rights in Syria.

As Syrians courageous enough to speak out and openly criticize the state were being prosecuted and imprisoned, authorities continued to release political prisoners from a previous era, including individuals implicated in anti-government violence. In late November 2001, a presidential pardon released 113 political prisoners, some of whom had been imprisoned for up to twenty-two years, including members of the banned Muslim Brotherhood, the Iraqi wing of the Ba'ath party, and the Syrian Communist Workers Party. Among the released Muslim Brothers were three arrested in 1980, Sheikh Imad Ranko, Sheikh Mahmoud Othman, Sheikh Hisham Majzoub, and Sheikh Khaled Chami, arrested in 1982. A military tribunal reportedly had condemned Chami to death, a sentence later commuted to life imprisonment by presidential decree. On August 11, 2002, Haytham Na'al was released in poor health after serving twenty-seven years of a life sentence. He and other members of the Arab Communist Organization were detained in 1975 and tried for alleged involvement in bombings. Some of the defendants were sentenced to death and executed; two others, Imad Shiha and Faris Murad, remained imprisoned, reportedly in poor health.

Despite granting them permission to enter the country, authorities arrested Syrian citizens returning from many years in political exile. In one case, Mohammed Hasan Nassar, an exile who left Syria in 1980 and lived in Jordan, died after being taken into custody on his return, according to the London-based Syrian Human Rights Committee (SHRC). It reported that Nassar was gravely ill and his family had secured permission from the Syrian embassy in Amman for his return, but he was arrested on February 17 at the border. On March 23, Nassar's body was delivered to his family in a village near Aleppo and buried the next day. SHRC reported the detention of three other exiles: Nawras Hussein al-Ramadan, a teacher who fled Syria in 1980 and worked in the United Arab Emirates, on February 13 upon arrival at Damascus airport; Dr. Muhammad Ghazi Hobaieb on April 16 after he arrived at Damascus airport from Saudi Arabia, where he worked as a medical doctor; and

Moussa Zain al-Abdeen on August 12 at a border checkpoint after returning from over twenty years of exile in Saudi Arabia, where he worked as a teacher. As of this writing, Ramadan continued to be held incommunicado. Dr. Hobaieb was released on May 14, but was ordered to leave Syria within one week, and Abdeen was released in late October.

Syria secretly gained custody of Mohamed Haydar Zammar, a Syrian-born German national suspected of recruiting three of the September 11 hijackers. According to various press reports, Zammar was clandestinely arrested in Morocco and transferred to Syria with the knowledge of the U.S. government but without notification of German authorities. The *Washington Post*, citing one unnamed U.S. official, reported on June 19 that the U.S. did not have "direct access to Zammar" but "the Americans have been submitting questions for him to the Syrians, and some of the answers have helped gauge the credibility of detainees in U.S. custody."

Ten Syria democracy activists who had been arrested in August and September 2001 were tried and sentenced. Two of them were independent members of parliament, Mamoun al-Homsi and Riad al-Seif, and were sentenced in the Damascus criminal court to five years imprisonment, in March and April, respectively, for "attempting to change the constitution by illegal means," among other charges. Their convictions were upheld on appeal. The other eight defendants, including two lawyers, two medical doctors, and one engineer, were tried in the State Security Court, whose decisions cannot be appealed. Notably, Syria's government-controlled professional associations did nothing on behalf of these defendants.

Of the other eight defendants, Riad al-Turk, the seventy-two-year-old lawyer and veteran political activist who was imprisoned without charge and held incommunicado from 1981 to 1998, was sentenced to a prison term of two and a half years on June 26 for "attempting to change the constitution by illegal means." (Turk received a presidential pardon and was released on November 16 for "humanitarian reasons.") The remaining seven defendants—all of whom were active in the country's popular independent civic forums and human rights organizations—were sentenced between June and August.

On June 24, Habib Saleh, a businessman who founded a civil forum in Tartous, was convicted of "opposing the aims of the revolution" and "inciting ethnic and sectarian strife," and sentenced to three years imprisonment. On July 31, Aref Dalila, a prominent economist and university professor, was found guilty of "attempting to change the constitution by illegal means" and sentenced to ten years. He was a founding member of the Committees for the Revival of Civil Society, an advocate of economic reform and a critic of official corruption. Also on July 31, Dr. Walid al-Bunni, a physician who helped launch the independent Human Rights Society of Syria (HRSS) in 2001, was convicted of the same criminal offense as Dalila and sentenced to a prison term of five years. On August 19, lawyer Habib Issa, spokesperson for the Jamal al-Attasi Forum for Democratic Dialog and a founding member of HRSS, was sentenced to five years for charges that included "attempting to change the constitution by illegal means" and "publishing false information." He served as a defense lawyer for Riad al-Seif.

The last three defendants were sentenced on August 28. Dr. Kamal Labwani, a physician, was sentenced to three years for inciting armed rebellion. He was an

active member in the independent Committees for the Defense of Human Rights in Syria. “You’re a doctor, so learn to go to your clinic and not interfere in politics,” one State Security Court judge told Labwani, the BBC reported. Fawaz Tello, an engineer, was found guilty of “attempting to change the constitution by illegal means” and sentenced to five years. He was an active member of the Forum for Democratic Dialog and the HRSS. Hassan Saadun, a retired teacher, an activist in the civil society movement, and a founding member of the HRSS, was convicted of spreading false information and sentenced to two years.

Authorities also targeted other activists affiliated with the HRSS. In June, the group’s head, seventy-year-old lawyer Haythem al-Maleh, was barred from practicing law for three years pursuant to action taken by the disciplinary council of the Damascus bar association. In August, Maleh and three other members of the HRSS—Muhammed Farouq al-Homsi, Muhammed Kheir Bek, and Ghasoub Ali al-Mallah—were ordered to appear in the military court on January 18, 2003. All four were charged with unauthorized distribution of the HRSS’s occasional magazine *Tayarat*, which was printed in Lebanon. Maleh, Homsi, and Kheir Bek faced additional charges, including joining a political association of an international character without government permission, and publishing material that advocated sectarian strife. Additional charges against Maleh and Homsi included forming a human rights group without Ministry of Social Affairs and Labor approval, and Maleh was separately accused of disseminating false information abroad.

The cases of “disappeared” Syrian citizens, Palestinians, and other foreign nationals, many dating back to the 1980s, remained unresolved. Human Rights Watch received information indicating that the names of some “disappeared” Syrians had recently been entered in civil registers as deceased, and that various branches of the internal security apparatus advised relatives to check these registers. There was concern among Syrian activists that authorities might employ this method more widely to “solve” the cases and thereby facilitate settlement of legal matters, such as marital status and inheritance without families learning the circumstances of the death of their relatives.

Families of the “disappeared” maintained hope that their loved ones were still alive in Syria, and the outcome of one case indicated that this hope was not necessarily misplaced. A Palestinian—who asked Human Rights Watch to withhold his name—was released on December 13, 2001, after having been “disappeared” in Damascus in May 1988. He had been held incommunicado for fourteen years in a prison at a training base, near Damascus, of the Palestinian group Fatah the Intifada, led by Abu Musa (Musa Muhammed Maraghah) and Abu Khaled al-Amleh. He reported that he was held in an underground cell under a false name, tortured, and denied medical treatment, newspapers, and a radio. He reported that at the time of his release at least fifteen additional prisoners languished in solitary confinement at the camp, which was guarded by Syrian forces, and that some of them had “gone insane” as a result of torture.

Lebanese nongovernmental organizations continued to campaign vocally for answers about “disappeared” Lebanese, including those believed to be in Syrian custody. Some sixty members of the Committee of the Parents of Lebanese Disappeared or Detained in Syria made a highly publicized visit to Damascus on July 22. They traveled in a bus with signs that read: “You can resolve our ordeal and return

our loved ones to us,” and “We have the right to know whether they are dead or alive.” Senior Syrian military officers met the bus at the border and escorted it to the Interior Ministry in Damascus, where the parents presented to Interior Minister Ali Hammoud the names of 176 Lebanese believed to be victims of arbitrary detention or “disappearance” at the hands of Syrian authorities. The minister indicated to the families that he needed three months before he could respond to them. On November 2, forty-eight members of the committee set out again for Damascus for a previously arranged appointment with the interior minister, only to be turned back at the border. One participant informed Human Rights Watch that an officer told the families that the minister might not be available for an entire month and said they should “go back to Lebanon and try to speak to your officials.”

Political activists in Lebanon continued to demand the withdrawal of all Syrian forces from the country and organized demonstrations throughout the year, many of which the internal security forces dispersed forcibly. In a speech on March 19, Rev. Selim Abou, rector of St. Joseph University in Beirut, criticized Syria’s influence in the Lebanese army. He said “to military domination is added a political control which is increasingly heavy,” and predicted, “soon it will need only to interfere in the appointment of janitors who can, after all, be excellent informants.” The army responded with a statement the next day, Reuters reported, warning Abou to “exercise precision and objectivity before airing such opinions, which cause despair and mislead students and young people, rather than teaching national consciousness and respect for the army’s patriotic role.”

Major General Ghazi Kanaan, who headed Syrian military intelligence in Lebanon and was long a symbol of Syrian hegemony there, left his post in October, reportedly to assume other duties in Damascus. Colonel Rustom Ghazali, who long served as Syria’s senior military intelligence operative in Beirut, replaced him. The Associated Press reported on October 9 that Kanaan met in Beirut with Lebanese President Emile Lahoud and Prime Minister Rafik Hariri before his departure and was awarded “a civilian medal of appreciation for his work in Lebanon.”

DEFENDING HUMAN RIGHTS

The government maintained its pressure on the country’s fragile human rights movement through a combination of intimidation, criminal prosecution of leading activists, and imprisonment. Some human rights activists reported to Human Rights Watch that they had been “invited” by the political section of state security for discussions about their work. In addition, some of them said that internal security operatives sent oral messages, through intermediaries, threatening them with detention if they did not cease their activities. One prominent activist said that he was summoned for questioning on a regular basis.

Despite the harassment, rights activists continued to issue public statements, speak to the press, and organize open meetings across the country, some of which internal security forces members attended. “We inform people through word of mouth. If we keep the numbers small, there is no harassment,” one activist told Human Rights Watch.

Syria remained a closed country for international human rights organizations.

Amnesty International last had official access in 1997 and Human Rights Watch in 1995; the government did not reply to written requests for access from both organizations.

THE ROLE OF THE INTERNATIONAL COMMUNITY

European Union

The European Union (E.U.) and its member states did not undertake vigorous public advocacy on behalf of beleaguered Syrian advocates of human rights and political reform, despite substantial leverage. Syria and the E.U. maintained a strong trade relationship, with 66 percent of Syria's exports destined for E.U. member states, including 62 percent of its crude oil and other petroleum products, the European Commission reported in December 2001. Some 34 percent of Syria's total imports were from the E.U. states, with Italy, Germany, and France the lead sources.

Since 2000, the E.U. concluded seven Financing Agreements with Syria for economic-reform projects as part of the Euro-Mediterranean Partnership. Programs formulated in 2001 included assistance for reform in the health sector and improvement of water and sewage systems in two Palestinian refugee camps and nearby Syrian villages. The European Commission stated in January 2002 that aid plans for 2002-2004 focused on "economic modernization and reform," with priorities in the areas of "institutional development, industrial modernization, human resource development and trade enhancement." It added that grants to Syria from the E.U. budget were "complemented by loans from the European Investment Bank, generally aimed at large economic infrastructure projects."

On August 8, the E.U. Presidency issued a declaration of concern about Syria's "limited progress" on political and economic reform since Bashar Asad assumed the presidency in 2000. It noted that the E.U. had previously expressed concern about "politically motivated arrests and trials of prominent members of civil society for peacefully exercising their right to freedom of speech," and said it "deeply regret[ted]" the recent prison sentences for Syrian activists, and urged the release of "all political prisoners."

The E.U. and Syria continued to engage in negotiations, launched in 1998, to conclude an Association Agreement. This trade pact stated that relations between the parties "shall be based on respect of democratic principles and fundamental human rights as set out in the Universal Declaration of Human Rights, which guides their internal and international policy and constitutes an essential element of [the agreement]." However, the sentencing and imprisonment of the ten Syrian activists (see above) did not interfere with the last negotiating session in Brussels in October, and the E.U. did not indicate their unconditional release as a benchmark for further negotiations.

United States

Terrorism, counter-terrorism, and weapons-related concerns dominated the Bush administration's agenda with Syria during the year. Defense Secretary Donald Rumsfeld stated on April 1 that Syria, in addition to Iran and Iraq, was "inspiring and financing a culture of political murder and suicide bombing." President Bush, on April 4, added that although Syria had "spoken out against al-Qaeda," the U.S. "expect[ed] it to act against Hamas and Hizballah as well" and that it was time for Syria "to decide which side of the war against terror it is on."

In a speech on May 6, Under Secretary of State for Arms Control and International Security John R. Bolton named Syria—along with Libya and Cuba—"as three other state sponsors of terrorism [in addition to Iraq, Iran and North Korea] that are pursuing or who have the potential to pursue weapons of mass destruction or have the capability to do so in violation of their treaty obligations." He cited Syria's chemical warfare program, its "stockpile of the nerve agent sarin," and its "research and development of the most toxic and persistent nerve agent VX." He also charged that Syria was "pursuing the development of biological weapons" and was "able to produce at least small amounts of biological warfare agents." He said that Syria's mobile missiles were capable of reaching "much of Israel, Jordan, and Turkey from launch sites well within the country."

On May 21, Syria was again named as one of seven state sponsors of terrorism in the State Department's patterns of global terrorism annual report. It noted that the government "cooperated with the United States and with other foreign governments in investigating al-Qaeda and some other terrorist groups and individuals." It also stated that Syria had not been "implicated directly in an act of terrorism since 1986," and "continued to adhere to its longstanding policy of preventing any attacks against Israel or Western targets from Syrian territory or attacks against Western interests in Syria." But, as in past years, the State Department charged that Syria continued "to provide safe haven and logistics support to a number of terrorist groups." It named five such groups with offices in Damascus—the Popular Front for the Liberation of Palestine-General Command, Palestine Islamic Jihad, Fatah-the-Intifadah, Popular Front for the Liberation of Palestine, and Hamas—and said that Syria "provided Hizballah, Hamas, PFLP-GC, the PIJ, and other terrorist organizations refuge and basing privileges in Lebanon's Beka'a Valley, under Syrian control." The report also stated "Damascus served as the primary transit point for the transfer of Iranian-supplied weapons to Hizballah."

As a designated state sponsor of terrorism, Syria received no U.S. aid and was subjected to a variety of economic sanctions, although it maintained a trade relationship. Syria imported \$226 million in U.S. products in 2001, outpacing its exports to the U.S. of \$158 million.

Despite the Bush administration's strong criticism of Syria, it did not support the Syria Accountability Act, a bill introduced in the U.S. House of Representatives in April. Among other measures, the proposed legislation called for the withdrawal of all Syrian military, intelligence, and other security personnel from Lebanon; deployment of Lebanese troops in south Lebanon and removal of "all terrorist and foreign forces" there, "including Hizballah and the Iranian Revolutionary Guards";

closure of “all terrorist offices and facilities” in Syria; cessation of the development and deployment of short and medium range ballistic missiles; and an end to the development and production of biological and chemical weapons. It proposed new sanctions, including a ban on all U.S. exports to Syria, except food and medicine, and prohibition of U.S. companies from investing or operating in Syria.

In a September 3 letter to Congressman Robert Wexler, President Bush stated that the U.S. had “both serious differences and areas of common interest with Syria. Managing our complex relationship with Syria requires a careful and calculated use of all the options we have to advance U.S. interests.” The president added that the imposition of new sanctions pursuant to the proposed legislation “would limit our options and restrict our ability to deal with a difficult and dangerous regional situation at a particularly critical juncture. We are pursuing a number of initiatives to reverse [Syria’s] unacceptable behavior.”

RELEVANT HUMAN RIGHTS WATCH REPORTS:

Decree No. 50/100: Human Rights Concerns, 1/02

TUNISIA

HUMAN RIGHTS DEVELOPMENTS

Tunisian authorities exploited the U.S.-led war on terrorism to curtail public liberties and keep critics of all viewpoints under pressure. The repression tightened after April, when Tunisia suffered its first deadly terrorist attack in many years.

Suspected Islamists faced the harshest treatment, with a revival of military court trials for civilian suspects, long prison terms under inhumane conditions, and heavy restrictions that kept ex-prisoners from resuming an ordinary life. Liberal and leftist dissidents encountered arbitrary curbs on their rights to meet, demonstrate, and travel, and were victimized by assaults, vandalism, and theft credibly attributed to plainclothes police. A few spent time in prison or remained in exile.

In parliament in April and in a national referendum in May, the ruling Democratic Constitutional Rally party easily won adoption of constitutional amendments that included new affirmations of certain rights but, more significantly, enabled President Zine el-Abidine Ben Ali to run again in 2004 and 2009. They also granted permanent immunity to the head of state for acts connected to official duties. The amendments were approved by more than 99 percent of the voters—the same official margin by which Ben Ali had won re-election in 1989, 1994, and 1999.

The Islamist Nahda party remained banned, as did the small but vocal Tunisian Communist Workers Party (Parti communiste des ouvriers tunisiens, PCOT). One