

A trial against freedom of expression

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The Observatory and the EMHRN denounce the unfair judicial proceedings against the 12 Damascus Declaration detainees

Paris-Geneva-Copenhagen, 28 October 2008. On 29 October 2008, the Damascus Court of First Instance is due to issue its verdict in the trial of 12 human rights and democracy activists, detained, for most of them, since December 2007. 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), and the Euro-Mediterranean Human Rights Network (EMHRN) sent an international observer to attend the hearing held on 24 September 2008. On this occasion, our organisations identified serious violations of the right to a fair trial, which put into question the outcome of the judicial proceedings, judicial proceedings that should not have started in the first place.

The 12 activists - namely Mr. Riad Seif, Mr. Marwan Aloush, Mr. Mohammed Haj Darwish, Mr. Fayez Sarah, Dr. Ahmad Tohme, Mr. Jaber al-Shoufi, Mr. Akram al Bunni, Dr. Fida al-Hurani, Mr. Ali al-Abdullah, Dr. Walid Bunni, Mr. Talal Abu Dan and Dr. Yasser Tayser Aleiti - belong to the National Council of the Damascus Declaration for Democratic National Change (NCDD), a collective pro-rights and pro-democracy movement comprising more than 160 Syrian political activists, human rights defenders, intellectuals and artists, which met on 1 December 2007 to follow-up on the Damascus Declaration for Democratic National Change of 16 October 2005. After publishing its concluding statement, the NCDD was subject to crackdown by the authorities. Starting on 9 December 2007, 40 of its members were arbitrarily arrested by the Syrian State Security Intelligence. 12 of them were tried on 24 September and remain detained, pending verdict. The others were previously released without charges.

Their only crime is to have peacefully exercised fundamental freedoms - having called for the establishment of a democratic system that respects citizens' rights, ensures freedom of speech and association, and ends discrimination based on religious or political beliefs. Charges against the detainees clearly show that the Syrian authorities, through this symbolic trial, aim at giving a final blow to freedom of expression in Syria (See the Open Letter issued by the Observatory, the EMHRN, Human Rights Watch and Human Rights First on September 17, 2008).

Following the trial observation of 24 September 2008, our organisations highlight that basic fair trial standards were blatantly violated: most of the defendants were encaged during the trial; the defendants' confessions and statements recorded in police minutes were obtained under coercion and sometimes torture; the police minutes on which the indictment is based have never been communicated to the defence lawyers; police minutes had been drafted by unauthorised agents; and the defendants had never been allowed to discuss in private with their lawyers. Besides, despite serious health problems, several of the defendants did not receive any medical care.

In view of the above, our organisations urge the Syrian authorities to send a strong signal of their willingness to open up a genuine dialogue with their own civil society on the question of the respect of human rights, stop persecution of human rights defenders and promoters of democracy and release the 12 Damascus Declaration detainees.

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