

## URGENT APPEAL - THE OBSERVATORY

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**New information**  
**SYR 002 / 0812 / OBS 042.1**  
Judicial harassment / Arbitrary detention  
**Syria**  
August 9, 2012

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), has received new information and requests your urgent intervention in the following situation in **Syria**.

### **New information:**

The Observatory has been informed by reliable sources about the imminent transfer of Mr. **Mazen Darwish**, President of the Syrian Center for Media and Freedom of Expression (SCM), to a secret Field Court military tribunal, as well as about his ongoing detention, together with four of his colleagues, blogger **Hussein Ghrer**, and Messrs. **Abdelrahman Hamada**, **Mansour Al Omari** and **Hani Zetani**. The Observatory was also informed of the ongoing judicial harassment of **Messrs. Bassam Al-Ahmad**, **Joan Farso**, **Ayham Ghazzoul**, **Mss. Yara Bader**, **Razan Ghazzawi**, **Mayadah Khaleel** and **Sana Zetani**, SCM staff members, as well as of Ms. **Hanadi Zahlout**, arrested as he was visiting the centre (see background information).

According to the information received, on August 6, 2012, the Air Force Intelligence (AFI) sent a letter to the Military Justice in Damascus, informing them that the SCM was conducting its activities without any license and that they were preparing for Mr. Mazen Darwish to be transferred to the Field Court, a secret military tribunal that operates in camera, excluding even the detainee's lawyers.

Previously, the fourth military judge in Damascus had requested the AFI to provide information to the court about the SCM's license and Mr. Darwish's whereabouts, in view of his appearance as a general witness in another case involving eight other people arrested at the SCM on February 16, 2012. They were: Messrs. Bassam Al-Ahmad, Joan Farso, Ayham Ghazzoul, and Mss. Yara Bader, Razan Ghazzawi, Mayadah Khaleel, Sana Zetani and Hanadi Zahlout. However, their trial has been postponed on several occasions, most recently to August 6, 2012, because the AFI has failed to answer the requests of the military judge. Following the above-mentioned letter he received from the AFI, the judge then decided to suspend Mr. Darwish as a witness in that trial until the next defence session, which was scheduled to August 29, 2012. In other terms, Mr. Mazen Darwish's fate is now left to the discretion of the Field Court.

The Observatory also remains concerned with the fact that the the fate of Mr. Mazen Darwish, as well as four of his colleagues, Messrs. Hussein Ghrer, Abdelrahman Hamada, Mansour Al Omari and Hani Zetani, remains unknown. It was recently reported that Mr. Ghareer, who has been on hunger strike for almost one month, would be transferred to the AFI headquarters in Tahrer Square, while it is believed that Mr. Darwish and his three other colleagues have been transferred to the headquarters of the Fourth Division in Mazzeh. Fears remain about their physical and psychological integrity, since they have reportedly been subjected to torture and ill-treatment in detention.

The Observatory expresses its deepest concern about Mr. Mazen Darwish's upcoming transfer to a secret Field Court military tribunal. The fact that it operates in camera violates international standards regarding fair trial and due process. The Observatory further denounces Mr. Mazen's ongoing arbitrary detention, as well as that of his 12 colleagues and

a visitor of the SCM.

The Observatory calls on the Syrian authorities to immediately and unconditionally put an end to the judicial harassment of Mr. Darwish, as well as of his four colleagues, as it seems to merely aim at disrupting and sanctioning their human rights activities, and to release them immediately and unconditionally.

### **Background information<sup>1</sup>:**

On February 16, 2012, the AFI raided the SCM premises in Damascus during which they arrested 16 persons, including both visitors and employees, among whom Messrs. Mazen Darwish, Hussein Ghrer, Abdelrahman Hamada, Mansour Al Omari and Hani Zetani. All of them were then transferred to the central prison of Adra in Damascus.

Although some of those arrested were subsequently released under conditions, the Syrian authorities first refused to reveal the whereabouts of eight of those arrested, including Mr. Darwish.

On April 22, 2012, the Military Prosecutor in Damascus informed Messrs. Bassam Al-Ahmad, Joan Farso, Ayham Ghazzoul, Mss. Yara Bader, Razan Ghazzawi, Mayadah Khaleel, Sana Zetani and Hanadi Zahlout that they would be prosecuted by a military court for “possessing prohibited materials with the intent to disseminate them”, a criminal offense that carries a penalty of six months of imprisonment under Article 148 of the Criminal Code.

Messrs. Mazen Darwish, Hussein Ghrer, Abdelrahman Hamada, Mansour Al Omari and Hani Zetani have not been charged yet. They have been denied access to their lawyers since their arrest, in violation of due process. In addition, Mr. Darwish has reportedly been subjected to torture and other ill-treatment during his detention and questioning, despite his already previous bad health.

### **Actions requested:**

Please write to the Syrian authorities, urging them to:

- i. Immediately and unconditionally release Mr. Mazen Darwish, as well as the other 12 human rights defenders mentioned above, and all persons arbitrarily detained;
- ii. Guarantee in all circumstances the physical and psychological integrity of the 13 human rights defenders mentioned above, as well as of all human rights defenders in Syria;
- iii. Put an end to any act of harassment and to any type of proceedings - including at the judicial level before both civil and military courts - against all above-mentioned human rights defenders, and more generally against all human rights defenders in Syria;
- iv. Grant unhindered access to ICRC observers dispatched within the country to assess the defenders' conditions of detention and health situation;
- 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”, 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

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<sup>1</sup> See Joint Press Releases, April 23, 2012, March 14, 2012, February 16, 2012 and February 22, 2012.



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, Fahad Djassim al Freij, Ministry of Defence, O mayyad Square, Damascus, Syrian Arab Republic, Fax: +963 11 223 7842;
- Minister of Justice, His Excellency Mr. Tayseer Qella Awad, Mazeh “Otstrad”, 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 Faysal Khabbaz Hamoui, 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 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, August 9, 2012

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
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