

PUBLIC

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UA 261/08 Incommunicado detention/torture

SYRIA Usra al-Hussein (f)
Bayan Saleh 'Ali (f)

Usra al-Hussein and Bayan Saleh 'Ali are married to men who are being detained, one by the US and the other by the Syrian authorities, because of suspicions about their involvement in Islamist activities. The two women were arrested by State Security officers on 31 July and 4 August respectively, at their homes in the village of al-'Otayba, 20km east of Damascus. They have been held incommunicado since then, which puts them at risk of torture or other ill-treatment.

The authorities have not said where the women are being held, why they were arrested or whether they will be charged.

Usra al-Hussein's husband, Jihad Diab, is detained in the US military base at Guantánamo Bay, Cuba. He has been held there without charge or trial as an "enemy combatant" since August 2002. According to the US authorities, he left Syria in May 2000 to go to Afghanistan, and was arrested in Pakistan in November 2001.

Bayan Saleh 'Ali's husband, Ahmad Saleh 'Ali, is held in Sednaya Military Prison, near Damascus. He is on trial before the Supreme State Security Court (SSSC), whose procedures fall far short of international standards for fair trial, on charges of "forming an organization with the aim of changing the economic or social status of the state" according to Article 306 of the Syrian Penal Code, "weakening national sentiment" (Article 285) and "inciting sectarian strife" (Article 307).

BACKGROUND INFORMATION

People suspected of affiliation to Islamist groups are at particular risk of arbitrary arrest and imprisonment in Syria. In 2007, more than 170 people were sentenced after grossly unfair trials before the SSSC, criminal courts and military courts: most were alleged to be Islamists. In March 2007 the SSSC convicted 24 men from the Qatana area, near Damascus, of "forming an organization formed with the aim of changing the economic or social status of the state" and "weakening nationalist sentiment", apparently solely on the basis of "confessions" which the men said had been extracted from them under torture. The SSSC sentenced them to between four and 12 years in prison, but failed to investigate the men's torture allegations.

Detainees are often held incommunicado in Syrian detention and investigation centres, facilitating the widespread practice of torture and other ill-treatment. Since 2004 at least 12 people are known to have died as a result of torture or other ill-treatment in custody. Anyone the authorities think is an Islamist, or possesses information about terrorism, is at particular risk.

"Confessions" extracted under duress are systematically used as evidence in Syrian courts, and the defendants' claims that they have been tortured are almost never investigated.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French, Arabic or your own language:

- urging the authorities to release Usra al-Hussein and Bayan Saleh 'Ali immediately unless they are to be charged with recognizably criminal offences;
- expressing concern that the two women have been detained incommunicado for more than a month;
- calling on the authorities to guarantee that they will not be tortured or otherwise ill-treated, and to allow them immediately visits from their families, lawyers of their choosing and any medical treatment they may require.

APPEALS TO:

President

His Excellency Bashar al-Assad
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Damascus, Syrian Arab Republic
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Salutation: Your Excellency

Minister of Defence

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Salutation: Your Excellency

Minister of Justice

His Excellency Muhammad al-Ghafari
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Minister of Foreign Affairs

His Excellency Walid Mu'allim
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COPIES TO: diplomatic representatives of Syria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 October 2008.