

The Observatory for the Protection of Human Rights Defenders

a joint programme



Euro-Mediterranean
Human Rights
Network (EMHRN)



INTERNATIONAL
COMMISSION
OF JURISTS

Press Release

Syria

Unfair trial against Syrian Human Rights Defender

Copenhagen – Geneva – Paris, April 27, 2005. The Euro-Mediterranean Human Rights Network (EMHRN), the International Commission of Jurists (ICJ) and 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), express their serious concern about the situation of human rights and human rights defenders in Syria.

On Sunday April 24, 2005, the trial against Mr. **Aktham Naisse**, President of the Committees of the Defence of Democratic Liberties and Human Rights in Syria (CDF), member of EMHRN, FIDH and OMCT and this year's laureate of the Martin Ennals Award, was scheduled to resume before the Syrian Supreme State Security Court (SSSC). Other hearings were also scheduled for the same court that day.

Mr. Naisse's defence claimed that his summoning to court was unconstitutional and that Mr. Naisse is tried only due to his opinions and his work for human rights. Mr. Naisse's sentencing was adjourned until June 26, 2005, shortly after the Baath Party Congress.

Mr. Naisse was arrested on April 13, 2004 and released on bail on August 17, 2004, following a decision by the Syrian Supreme State Security Court (SSSC). Following the April 24 hearing, Mr. Naisse remains charged with "opposing the objectives of the revolution" and "disseminating false information aiming at weakening the State", risking a prison sentence of 15 years.

The EMHRN, the ICJ and the Observatory recall that the state of emergency that has been in effect since 1963 is not consistent with international standards on states of emergency, in particular with art. 4 of the International Covenant on Civil and Political Rights (ICCPR).

In this respect, the SSSC established as an exceptional court by decree 47 of 1968 pursuant to the state of emergency is incompetent to examine ordinary criminal cases; moreover rules of procedure of SSSC do not conform with internationally recognised standards of a fair trial by a competent, independent and impartial tribunal established by law. It should be noted in particular that among court members are military officers; that its decisions cannot be appealed and it operates under the authority of the ruling Baath party.

Several international observers were present, among them two lawyers mandated by the ICJ and the Observatory, as well as representatives from the European Commission's delegation to Syria.

At the SSSC a few hundreds of Syrian, including of Kurdish origin, demonstrators had gathered carrying banners protesting against the Syrian emergency laws of 1963 and the use of exceptional courts. They also demanded the release of people sentenced at these courts. The demonstration took place with around 50 riot policemen surrounding the place.

The EMHRN, the ICJ and the Observatory are highly concerned about the continued harassment of Syrian human rights defenders, especially in the context of the initiation at the end of 2004 of the Association Agreement between the European Union and Syria, in which article 2 clearly states the Parties' commitment to respect human rights.

The EMHRN, the ICJ and the Observatory call upon the Syrian authorities:

- to ensure that Mr. Aktham Naisse be brought before a civil, competent and impartial tribunal, and that his procedural rights be guaranteed at all times, including the principle of adversary proceedings and the right of appeal;
- to recognise the Committees of the Defence of Democratic Liberties and Human Rights in Syria (CDF) and other human rights and civil society organisations;
- to put an end to harassment, intimidation, threats, and deliberate attacks on human rights defenders, and to respect its human rights commitments according to international standards and as expressed in the Barcelona Declaration to which Syria has agreed as well as the UN Declaration on Human Rights Defenders.

The EMHRN, the ICJ and the Observatory call upon the European Union and its Member States:

- to demand that Syria respects international human rights and international laws, particularly now that the EU is expected soon to sign an Association Agreement with Syria

The EMHRN, the ICJ and the Observatory call upon the international community:

- to continue expressing concern about the situation for human rights defenders and human rights organisations in Syria, and to continue supporting them.

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