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COMMUNIQUE DE PRESSE – COMUNICADO DE PRENSA

For immediate release

Geneva, 23 June 2009

Syria: ICJ Commissioner Muhannad Al-Hasani sentenced to three years imprisonment

The ICJ calls for his immediate and unconditional release

The International Commission of Jurists (ICJ) strongly condemns the decision of the Second Criminal Court of Damascus to convict Mr. Muhannad Al-Hasani, ICJ Commissioner and prominent Syrian lawyer and human rights defender, sentencing him to three years imprisonment. He was arrested on 28 July by officers of the Syrian General Intelligence Service and formally charged by an Investigating Judge on 12 October 2009 for *"weakening national sentiments and encouraging racist and sectarian feelings"*, and *"transferring false and exaggerated news that weaken national sentiments"* under Articles 285, 286 and 287 of the Penal Code.

"The trial of Mr. Al-Hasani before the Second Criminal Court of Damascus was a summary trial which failed to meet international standards of due process," said Wilder Tayler, ICJ Secretary General. *"The President of the Court denied all defence witnesses from giving evidence and did not require the prosecution to present any credible evidence to support the accusations against Mr. Al-Hasani,"* Tayler added.

Convicting Al-Hasani for the charges arising from his observation and reporting on open trials of the State Security Court, and his activities as President of the Syrian Organisation for Human Rights, amount to punishment for the exercise of his legitimate right to freedom of expression and association, and his professional conduct as a lawyer.

"From the outset and during the hearings, Mr. Al-Hasani was presumed guilty and the burden of proof was placed on him not on the prosecution," said Tayler. *"His right to present evidence, to examine and cross-examine witnesses was also denied,"* he added.

Since 28 July 2009 Mr. Al-Hasani has been detained in jail, during which time his lawyers were not allowed to meet him without prior authorization from the Syrian Bar Association, a non-independent organization under the control of the Syrian authorities. On a number of occasions they were refused permission to meet with him.

"The decision of the Criminal Court is final and can only be challenged before the Cassation Court on procedural grounds," said Wilder Tayler. *Limiting the appeal to procedural grounds in this case violates Mr. Al-Hasani's right to appeal, constituting a further violation of the guarantees to a fair trial"* Tayler added.

"The Syrian authorities must abide by their obligations under international law and immediately and unconditionally release Mr. Al-Hasani," Tayler concluded.

For more information, please contact Saïd Benarbia, Middle East & North Africa Legal Adviser, + 41765883362

The ICJ is an international non-governmental organisation comprising fifty-two of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

33, rue des Bains, P.O. Box 91, 1211 Geneva 8, Switzerland
Tel: +41(0) 22 979 3800 – Fax: +41(0) 22 979 3801 – Website: <http://www.icj.org> - E-mail: info@icj.org

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