

# URGENT ACTION



UANetwork Office AIUSA 600 Pennsylvania Ave SE, Washington DC 20003 T. 202.544.0200 F. 202.675.8566 E. [uan@aiusa.org](mailto:uan@aiusa.org) [amnestyusa.org/urgent/](http://amnestyusa.org/urgent/)

*Note: Please write on behalf of these persons even though you may not have received the original UA when issued on October 16, 2009. Thanks!*

26 February 2010

Further information on UA 281/09 (16 October 2009) and follow-ups (22 October 2009 and 5 November 2009) - Prisoner of conscience

**SYRIA**

**Haytham al-Maleh (m), human rights lawyer**

Prisoner of conscience Haytham al-Maleh is very ill, and he has not taken any of the medication he needs since 11 February.

Since 11 February, the authorities have not allowed detainees in 'Adra prison to obtain medication from anywhere but the prison pharmacy. Haytham al-Maleh will only take medication provided by his family, because he believes the prison pharmacy's medicine is of poor quality.

He was brought before a military judge in Damascus on 22 February to face new charges of "insulting the president" and "slandering a governmental body", in a public hearing. These charges were based on information from a prisoner detained for a non-political offense. Haytham al-Maleh said the information consisted of "lies and acts of provocation" by the prisoner.



Diplomats and two Italian lawyers representing the International Federation for Human Rights, an international non-governmental organization that aims at improving human rights protection, who had come to observe the trial session, were not allowed to attend. Haytham al-Maleh's wife, who was present in court, was not allowed to shake his hand or talk to him. On his way out, security officers dragged him away from her when they embraced.

According to those who did attend the hearing, Haytham al-Maleh was so frail that his voice was weak. He had passed out during the week before the hearing, because he had not received his medication. The day after the hearing, the new charges were dropped under a presidential amnesty for prisoners convicted of minor offenses, but the charges brought against him on 3 November still stand.

Conditions in 'Adra prison are poor. Haytham al-Maleh sleeps on a mattress on the floor in an overcrowded cell. He has diabetes and an overactive thyroid gland and has not had any medication since 11 February, although he needs to take regular medication to treat both conditions. His health is deteriorating. Individuals suffering from diabetes and an overactive thyroid gland who do not take medication are at risk of severe weight loss, falling into a coma, and even heart and kidney failure. Unlike other detainees in 'Adra prison, Haytham al-Maleh is usually accompanied by a prison officer when meeting with the prison doctor.

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***Amnesty International's mission is to undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression, and freedom from discrimination, within the context of its work to promote all human rights.***

## BACKGROUND INFORMATION

Haytham al-Maleh was charged by a military judge on 3 November with “conveying false news”, “weakening national sentiment” and “slandering a governmental body”. These charges relate to his public criticism of human rights violations and corruption by Syrian officials, which included a phone interview in September with a Europe-based satellite channel, Baradda TV.

Prison authorities often encourage prisoners charged with or convicted of non-political offenses to inform on political prisoners and prisoners of conscience. On 23 April, Kamal al-Labwani, a prisoner of conscience was given an additional term of three years in prison by the First Criminal Military Court in Damascus for "broadcasting false or exaggerated news which would affect the morale of the country" under article 286 of the Penal Code. This sentence was added to the 12-year term he was already serving on account of his work advocating peaceful reform in the country. This new sentence was based on the testimony of a prisoner in his cell in 'Adra prison that Kamal al-Labwani had returned from one of the hearings of his previous trial and spoken disparagingly of the government. Kamal al-Labwani denied the charge and said prisoners detained for non-political offenses were working in conjunction with the prison authorities, who had ignored his complaints that he had been assaulted twice in the prison.

Another prisoner of conscience, Walid al-Bunni, who is serving a 30-month sentence for his involvement in the Damascus

Declaration for Democratic National Change, a coalition of unauthorized political parties, human rights organizations and pro-democracy activists from across the political spectrum, was brought before Damascus Criminal Court on a new charge of "conveying false news" on 4 May 2009, based on the testimony of another prisoner. The new charge was finally dropped on 17 June 2009 and Walid al-Bunni was acquitted.

## RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible:

- Urging the authorities to release Haytham al-Maleh immediately and unconditionally, as he is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression.

### APPEALS TO:

#### President

Bashar al-Assad  
Presidential Palace  
al-Rashid Street  
Damascus

SYRIAN ARAB REPUBLIC

**Fax: 011 963 11 332 3410**

**Salutation: Your Excellency**

#### Minister of Interior

His Excellency Major Sa'id Mohamed Samour  
Ministry of Interior  
'Abd al-Rahman Shahbandar Street  
Damascus

SYRIAN ARAB REPUBLIC

**Fax: 011 963 11 222 3428**

**Salutation: Your Excellency**

### COPIES TO:

#### Minister of Foreign Affairs

His Excellency Walid al-Mu'allim  
Ministry of Foreign Affairs  
Abu Rummaneh  
al-Rashid Street  
Damascus

SYRIAN ARAB REPUBLIC

**Fax: 011 963 11 332 7620**

**Salutation: Your Excellency**

Ambassador Dr Imad Moustapha  
Embassy of the Syrian Arab Republic  
2215 Wyoming Ave. NW  
Washington DC 20008

**Fax: 202 234 9548 OR**

**202 265 4585 OR**

**202 232 4357**

**Email: info@syreembassy.net**

**PLEASE SEND APPEALS IMMEDIATELY.**

**Check with the AIUSA Urgent Action office if sending appeals after 9 April 2010.**