

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/SYR/CO/1)

SYRIAN ARAB REPUBLIC

(...)

C. Main subjects of concern and recommendations

(...)

Secret detention centres

15. The Committee is also concerned at reports that the State party has established secret detention facilities under the command of intelligence services, such as the Military Intelligence service, the Political Security Directorate, the Directorate General of Intelligence Services and the Directorate of Air Force Intelligence Services. The centres controlled by these services are not accessible by independent monitoring and inspection bodies, and are not subject to review by the authorities. The Committee is further concerned that detainees are deprived of fundamental legal safeguards, including an oversight mechanism in regard to their treatment and review procedures in respect to their detention. The Committee is also concerned at allegations that those detained in such facilities could be held for prolonged periods without any judicial review, in practice in incommunicado detention and subject to torture or cruel, inhuman or degrading treatment (arts. 2, 11 and 16).

The State party should ensure that no one is detained in a secret detention facility under its de facto effective control. As often reiterated by the Committee, detaining persons in such conditions constitutes, per se, a violation of the Convention. The State party should also investigate and disclose the existence of any such facilities, the authority under which they have been established and the manner in which detainees are treated in such facilities. The Committee urges the State party to close all such facilities.

(...)

24. The Committee is concerned about the prolonged detention in the case of Abdelkader Mohammed Sheikh Ahmed, who served his sentence and should have been released in 1979 but who, according to the information before the Committee, was still in prison in 2004. The Committee regrets that no further information about this case was provided in the dialogue (art. 12).

The Committee urges the State party to provide information about the current situation of Abdelkader Mohammed Sheikh Ahmed, and to institute a prompt, thorough and impartial inquiry into the case and on the reasons for him not being released after having served his sentence. The Committee recommends that such investigations be undertaken by independent experts in order to examine all information thoroughly, to reach conclusions as to the facts and measures taken and to ensure that those responsible for the violations are brought to justice.

Lack of legal protection of women and impunity for crimes committed in the name of “honour”

25. The Committee notes with concern that the State party report lacks information on the legal regime and practice affecting women. The Committee expresses its concern on numerous reports informing that violence against women, as a form of discrimination, is a widespread problem in the State party and that the law reform process has been delayed, namely the amendment of the Personal Status Act, Penal Code and Nationality Act, and as a result, a culture of impunity towards domestic and gender-based violence has evolved. In this respect, the Committee expresses its serious concern that crimes, where a family’s “honour” is thought to be breached, often go unpunished, and when they are, the sentences are far less than those for equally violent crimes without this “honour” dimension (arts. 1, 2, 4 and 16).

The Committee calls upon the State party to put in place comprehensive measures to address all forms of violence against women and enact, as soon as possible, legislation on violence against women, including on domestic violence. The Committee further calls upon the State party to amend, without delay, applicable provisions of the Penal Code to ensure that perpetrators of “honour” crimes do not benefit from a penalty reduction under article 548. The Committee also urges the State party to ensure that “honour” crimes are treated as seriously as other violent crimes with regard to investigation and prosecution, and that effective prevention efforts are put in place.

(...)

35. The Committee is concerned about the case of Muhannad Al-Hassani, president of the Syrian Human Rights Organization (Swasiah), arrested on 28 July 2009 and charged with “weakening national sentiment” and “spreading false or exaggerated information” in connection with his monitoring of the Supreme State Security Court. The Committee is also concerned about the case of Haytham al-Maleh, a 79-year-old prominent human rights lawyer who has been jailed repeatedly and is now on trial (art. 12 and 16).

The Committee urges the State party to provide information about the legal situation and physical and mental integrity of Muhannad Al-Hassani, as well as information about the ongoing trial of Haytham al-Maleh.

(...)

46. The Committee requests the State party to provide, within a year, information on its response to the Committee's recommendations contained in paragraphs 15, 24, 25 and 35.

(...)
