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THE DEATH PENALTY IN SYRIA :
EXECUTIONS BETWEEN MAY AND AUGUST 1985

Amnesty International is concerned at reports that twelve executions have taken place by hanging and firing squad in Syria since 14 May 1985, nine of them in public.

At dawn on the morning of 14 May 1985 three civilians were publicly hanged in the Abbasids Square in Damascus. They were Tawfiq bin Muhammad 'Abbas, Farid bin 'Umar Darwish and Muhyi al-Din bin Muhammad Adham Hurani. That afternoon three military personnel were also executed, by firing squad, at 'Artuz near Damascus. They were Ghassan Hamud Abu Shaqra, Ahmad 'Abd Allah Qatmawi and 'Abd Allah 'Abd al-Hamid Bakri. All six had allegedly been convicted under the Syrian military penal code of spying for Israel and 'jeopardising state security'.

On 15 July 1985 Hassan Hassan al-Muhammad was publicly hanged in Aleppo, having been convicted of murder and theft.

At dawn on 22 July 1985 two men, Muhammad bin 'Umar al-Masri and Muhammad bin 'Ali al-Farra, who had been convicted of child rape, were publicly hanged in Hama.

Reports have also been received of another public execution by hanging in Damascus during the third week of July, but no other details are available at present.

On 12 August 1985 Fahd Qassim al-Quntar, from the village of Dama in the Province of Suwaida', was executed by hanging in the Abbasids Square in Damascus, having been convicted of murder.

On 15 August 1985 'Adnan bin Ibrahim Naziha was hanged in Lataqiyya having been convicted of murder and rape.

Amnesty International has sent a number of appeals to the Syrian authorities expressing regret that executions have been carried out and urging that steps be taken to commute all future death sentences. The organization has also requested details of the trial and appeals procedures applied in such cases. No response has been received from the Syrian authorities to any of Amnesty International's appeals.

Amnesty International opposes the death penalty in all cases as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading treatment or punishment, as proclaimed in the Universal Declaration of Human Rights and other international standards.

The Death Penalty in Syrian Legislation

The Syrian Penal Code (SPC) of 13 March 1950 provides the death penalty for criminal offences such as murder (SPC Article 535), armed robbery (SPC Article 326) and arson resulting in death (SPC Article 577). The death penalty may also be imposed for a wide range of offences against the external and internal security of the state.

Offences against the external security of the state include bearing arms in the ranks of the enemy (Article 263); successfully conspiring or contacting any foreign country to encourage it to take hostile action against Syria (Article 264); conspiring with or contacting the enemy to bring about the defeat of the army (Article 265); undertaking any act with the intention of paralysing the country's defences in time of war or at the outbreak of war (Article 266).

Offences against the internal security of the state include causing civil or sectarian strife by arming the Syrian people or by arming some portion of the population against the rest; incitement to kill or to plunder premises (Article 298); commission of a terrorist act if it leads to death of a human being, or the partial or total destruction of a building if one or more persons are inside (Article 305).

In addition, Legislative Decree No. 6 of 7 January 1965 which permitted the formation of Exceptional Military Courts in Damascus and other Syrian towns introduced a mandatory death penalty for :

- "The taking of money or any other gift, the obtaining of any promise or any other benefit from a foreign state or from an organization or individuals whether Syrian or non-Syrian or communication with a foreign agency, for the purpose of undertaking any action, verbal or physical, hostile to the aims of the revolution."
- "Attack upon or aggression against places reserved for worship or the practice of religious rites, command centres, military establishments or other governmental establishments and institutions, public and private establishments including factories, workshops, trading establishments and houses, or the incitement to disturbance or civil, sectarian or racial strife or the use of mob hysteria and demonstrations for arson, robbery and pillage."

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It also provided a discretionary death penalty for :

- "Actions held to be incompatible with the implementation of the Socialist order in the State whether they are performed, spoken or written, or come about through any means of expression or publication."
- "Offences contrary to...all legislative decrees which have been or are to be issued and are connected with the Socialist transformation."

On 7 July 1980 the Syrian People's Assembly approved a draft law which extended the application of the death penalty to members of the banned Muslim Brotherhood. The law allowed a period of grace of one month, later extended by another month, during which members of the Muslim Brotherhood who denounced the organization and gave themselves up would not be executed. Since 1980 Amnesty International has received numerous reports of executions of members of the Muslim Brotherhood under this law but none of these have been confirmed by the Syrian authorities.

In addition to the above laws, which apply both to civilians and military personnel, under the Syrian Military Penal Code (SMPC) of 27 February 1950 the death penalty may be applied in cases where a member of the armed forces flees to enemy ranks during times of war (Articles 102 and 103); disobeys military orders (Articles 112, 142 to 146); uses violence to disarm and rob an injured or sick comrade (Article 132); destroys means of military transport or communication (Article 137); surrenders without defending a position during war (Article 152); or commits the offences of treason, spying or joining the enemy and carrying arms against the state (Articles 154 to 161).

In the cases of civilians sentenced to death, the sentence is not carried out until it has passed through a Pardons Committee and has been ratified by the President. The condemned prisoner is hanged in prison or any other place designated by the judge (SPC Article 43).

In the cases of members of the armed forces sentenced to death, the death sentence must be ratified by the President who will take into account comments received from the Minister of Defence and the Defence Council, the latter fulfilling the role of the Pardons Committee. Execution is by firing squad (SMPC Articles 89 to 90).

Legislation provides that death sentences against civilians and members of the armed forces may not be carried out on Fridays, Sundays, national or religious holidays. In addition, the death penalty may not be carried out against pregnant women.

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During the last five years Amnesty International has learned of 57 officially confirmed executions: 3 in 1981, 12 in 1982, 15 in 1983, 15 in 1984, and 12 in the period January to August 1985. Those executions included military personnel convicted of spying for Israel and/or desertion from the Syrian army, and civilians convicted of such offences as armed robbery, murder, rape, embezzlement of public funds and attempted rape of a minor. Many of the executions were carried out in public.



The above photograph is of Tawfiq bin Muhammad 'Abbas (right) and Farid bin 'Umar Darwish (left) who were hanged on 14 May 1985. The photograph appeared in Libération and in the July 1985 Amnesty International Newsletter.

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