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Serious Concerns of Executing “Suspended” Death Sentences in Hama Central Prison

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Civil Detainees in Early November 2018

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*The Military Judge, Firas Donya, Ordered the Execution of 11 Civil
Detainees in Early November 2018*

The single military judge in Hama (affiliated to the military field court of Damascus) ordered the transfer of 11 civilian detainees from Hama Central Prison¹ to Saydnaya Military Prison, two days after Syrian government officials' visits with lists² of judgments involving 68 inmates, which STJ managed to obtain copies of, besides testimonies from some detainees.

An inmate³ in Hama Central Prison told STJ's field researcher:

"Mohammed al-Hazouri, Hama Governor, Ashraf Taha, the chief of Police Command in Hama and Firas Donya, the military judge, visited Hama Central Prison respectively during the first week of Nov.2018 to meet the detainees and follow-up negotiations regarding resolving their status and the current disobedient. 68 prisoners, caught by military field court, asked the officials to include them in the settlement agreement and to reveal their fate. Two days later, Firas Donya, informed the detainees of their sentences, which included 11 death penalties."

STJ managed to obtain 3 documents, kept from publishing for security purposes, include names of the inmates and sentences passed against them;

1. 29 pending judgments (yet to be disposed).
2. 11 deferred death sentences (the court rendered the judgement but it is yet to be implemented due to the disobedient of inmates)
3. 20 sentences of 12- years imprisonment.
4. 7 life imprisonment sentences.
5. 1 sentence of 20-year imprisonment.

Another detainee of the Military Court in Homs, held in Hama Central Prison, reported to STJ⁴:

"The lists and news received by the prison administration are dire, especially for those detainees of the field courts who will be sentenced to death anytime. We can do nothing to save them."

The 11 detainees whose execution sentences are suspended:

1. Ahmad Mohammed Jad'an, deferred from November 11, 2017.
2. Sha'alan Abdul Hamid al-Sheikh al-Makara, deferred from November 2, 2016.

¹ The Hama Central Prison lies eastern Hama near the al-Qosour neighborhood and the industrial region. It contains 250 inmates, from: Hama, Idlib, and Damascus provinces, held on different political and criminal charges. Since 2013, the prison has seen consecutive disobedience protesting the unfair judgments passed by the military field court and the terrorism court in Damascus. The most significant disobedience was that of May 2016, which is continuous up to the date of writing this report. during the disobedience, the inmates managed to control their wards. In 2017 and 2018, the Syrian government freed many detainees under settlement agreements.

² The sources provided lists asked STJ not to publish them given they contain names of detainees whose cases are pending, and they fear reprisals by the Syrian government.

³ The interview conducted via Internet.

⁴ The interview conducted via Internet.

3. Raed Hamd Younes Shaana, deferred from June 15, 2016.
4. Ammar Mostafa at-Tarshan, deferred from November 2, 2016.
5. Khalid Mohammed Mesheimesh, deferred from May 4, 2016.
6. Mohammed Alwan, deferred from May 4, 2016.
7. Abdullah Mahmoud al-Hamoud, deferred from June 15, 2016.
8. Fahad Marwan Sorani, deferred from August 3, 2016.
9. Abdulkarim Marwan Sorani, deferred from August 3, 2016.
10. Fayz Hussein Darfin, deferred from November 2, 2016.
11. Anwar Mohamed Farzat, deferred from May 4, 2018.

A third detainee⁵ from Hama, who was arrested from al-Hamidiya neighborhood on March 12, 2012 and secretly tried by the field court and then transferred to Hama Central Prison in early 2015 told STJ:

"I learned that my case was at the field court after I was transferred to Saydnaya Military Prison in 2015, and then to Hama prison without standing any trial since then. We hoped that the disobedience would be a leverage to review the cases of the field court detainees but, however, few released while the rest sentenced including me, as I was sentenced of life imprisonment."

A detainee⁶, whose judgment is suspended, reported to STJ:

"When Firas Donya came and announced the sentences, he told me that the court hasn't decide my case yet. I asked him what the expected sentence may be, but he didn't give me any more details. My fate is still unknown."

Several detainees expressed fears of meeting the demands of the prison administration and of Firas Donya to attend the trials. They fear there might be secret sentences to be carried out against them despite the formers' vows and assurances of fair trials. Therefore, the prisoners insist to continue their disobedience to keep the Syrian government from executing the death sentences.

It's worth mentioning that the date of transferring the 11 detainees and that of implementing the sentences have yet be decided.

According to the Syrian Commission for Releasing Detainees, the first military field court in Damascus has already transferred the detainee Mohammed Mulaz Barakat from Hama Central Prison to Saydnaya Military Prison in February 2016 and executed him summarily.

The main reason behind the disobedience of Hama Prison, which started in May 2016 and continued till now, was to stop transferring the prisoners to Saydnaya Military Prison, as on May 5, 2016, the authorities notified 4 incarcerated of the sentences passed against them by the field court.

⁵ The interview was via the Internet.

⁶ The interview was conducted via the Internet.

Local media agencies published news on the disobedience of Hama Central Prison's detainees during the past two years, as it was been stated that the detainees managed to control the main management section of the prison opposing the sentences against some of them.⁷

⁷ "Syrian Government Uses Tear Gas against Disobedient Detainees in Hama Central Prison", Smart News Agency, September 12, 2018, <https://smartnews-agency.com/e/wires/325497/>



About Syrians for Truth and Justice:

STJ is an independent, nongovernmental organization whose members include Syrian human rights defenders, advocates and academics of different backgrounds and nationalities.

The initiative strives for SYRIA, where all Syrian citizens (females and males) have dignity, equality, justice and equal human rights.

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 - ✉ editor@stj-sy.org