

PUBLIC

AI Index: EUR 63/004/2009

06 May 2009

UA 118/09

Deportation/Fear of torture and other ill-treatment

Bosnia and Herzegovina

Awad Aiman (m)

Amnesty International fears that Awad Aiman is at immediate risk of being deported by the authorities of Bosnia and Herzegovina (BiH) and returned to Syria, where he would be at risk of torture and other ill-treatment.

Awad Aiman was seized by the authorities of BiH on 04 May 2009 in Zenica (north-west Bosnia). He is currently detained in Lukavica (Sarajevo) immigration detention centre. According to the decision of the Ministry of Security, which was issued on 04 May 2009, he is a threat to the national security.

On 13 July 2007, Awad Aiman's citizenship was revoked by the State Commission for the Revision of Decisions on Naturalization of Foreign Citizens on the grounds that his citizenship application included untrue information. Awad Aiman's lawyer sent the decision of the State Commission to the State Court of BiH for appeal. Although the case is still to be heard before the State Court of BiH, the BiH authorities are attempting to deport Awad Aiman to Syria, where he would be at risk of torture and other ill-treatment.

Before the war 1992-1995 war in Bosnia and Herzegovina, Awad Aiman lived in Rijeka (now in Croatia), where he worked as an imam's assistant. When the war started he joined the "El-Mujahedin" detachment of the Army of Bosnia and Herzegovina and on these grounds obtained the BiH citizenship in 1995.

BACKGROUND INFORMATION

Awad Aiman is likely to face persecution upon his return to Syria. Torture and other ill-treatment is widespread in Syrian detention and interrogation centres, and allegations of torture are rarely investigated. Persons perceived as belonging to radical Islamic groups are among groups who disproportionately suffer torture and other ill-treatment.

Amnesty International has campaigned on behalf of several people who have been tortured or suffered other ill-treatment, or sentenced to death when returned to Syria from European countries after having been accused of links with radical Islamic groups.

In 2005, the UN Human Rights Committee stated that torture and other ill-treatment is extensively used in Syria. The Committee also expressed its concerns at the practice of prolonged incommunicado detention. Torture and other ill-treatment continue to be committed with impunity; six deaths as a result were reported in 2008.

BiH is a state party to the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention on the Protection of Human Rights and Fundamental Freedoms, which prohibit the return of anyone to a country where they would be at risk of torture.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Bosnian or English or your own language:

- urging the authorities not to deport Awad Aiman to Syria, as he would be at risk of torture and other ill-treatment;
- reminding the authorities that an appeal on the decision to revoke his BiH citizenship is still pending before the State Court of BiH.
- bring attention to the fact that the forcible return of Awad Aiman to Syria would be a breach of Bosnia and Herzegovina's international obligations under the ICCPR, the CAT and the ECHR;

APPEALS TO:

Minister of Security of Bosnia and Herzegovina

Tarik Sadović
Trg BiH broj 1
71 000 Sarajevo,
Bosnia and Herzegovina
Fax: +387 33 213 628
Salutation: Dear Minister

Minister of Human Rights and Refugees

Safet Halilović
Trg BiH 1
71 000 Sarajevo,
Bosnia and Herzegovina
Fax: +387 33 206 140
Email: kabmin@mhrr.gov.ba
Salutation: Dear Minister

High Representative and the European Union Special Representative in Bosnia and Herzegovina

Valentin Inzko
Emerika Bluma 1
71000 Sarajevo
Bosnia and Herzegovina
Fax: + 387 33 283 501
Salutation: Dear High Representative

COPIES TO:

Diplomatic representatives of Bosnia and Herzegovina accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 June.