

PUBLIC

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UA 171/03

"Disappearance"/ Possible forcible return/
Incommunicado detention/ Fear of torture or ill-treatment

17 June 2003

IRAN/ SYRIA/ Ebrahim Khodabandeh (m), aged 50] Iranian refugees
UNITED KINGDOM Jamil Bassam (m), aged 49]

Iranian refugees Ebrahim Khodabandeh and Jamil Bassam were reportedly forcibly returned to Iran by the Syrian authorities on 12 June. Their current whereabouts are unconfirmed and it is feared that they may be facing torture or other ill-treatment in Tehran's Evin prison, where it is believed they are being held in incommunicado detention.

According to a press statement dated 16 June, issued by the National Council of Resistance of Iran (NCRI), Ebrahim Khodabandeh and Jamil Bassam were visiting Syria when, on 18 April they were arrested by Syrian security forces and, according to the statement, "tortured and harassed". According to the NCRI on 12 June they were forced to board Syrian Airways flight 373, which arrived in Tehran at 23:55 local time on the same day. On arrival, they were reportedly met by officials from the Ministry of Intelligence who then took them away.

On 16 June, Ebrahim Khodabandeh's mother received a telephone call allegedly from the Ministry of Information in Tehran. She was told that her son was in Evin Prison and that she should go and visit him. However, when she did so, she was told that he was not on the list of prisoners held there.

Ebrahim Khodabandeh and Jamil Bassam had sought asylum in the United Kingdom (UK) and been granted refugee status between 1979 and 1980. They had been travelling on travel documents issued by the UK.

BACKGROUND INFORMATION

The National Council of Resistance of Iran (NCRI) is an umbrella organization of groups opposed to the current government in Iran. Its largest member is the People's Mojahedin of Iran (PMOI), an armed organization based in Iraq, which is illegal in Iran and considered by the European Union and The United States of America to be a "terrorist" organization.

Amnesty International considers the forcible return of recognized refugees to be a violation of the principle of *non-refoulement*. This prohibits the forcible return of a person to a country where their life or freedom would be threatened. It is a principle of customary international law, which binds all states.

Syria and Iran are parties to the International Covenant on Civil and Political Rights (ICCPR) which prohibits torture, cruel, inhuman or degrading treatment or punishment.

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

To the UK government:

- calling on the UK government to intervene with the Syrian and Iranian authorities to establish the current whereabouts of Ebrahim Khodabandeh and Jamil Bassam;
- calling on them to intervene to secure the release of Ebrahim Khodabandeh and Jamil Bassam and to uphold their duty to protect those to whom they have granted refugee status.

To the Iranian authorities:

- seeking confirmation of the whereabouts of Ebrahim Khodabandeh and Jamil Bassam, who are possibly being held in incommunicado detention in Tehran's Evin prison;

- calling for the immediate release of Ebrahim Khodabandeh and Jamil Bassam unless they are to be charged with a recognizably criminal offence;
- urging that they will be treated humanely and not subjected to torture or ill-treatment if they are in detention;
- seeking assurances that they will be given immediate and unconditional access to their family, legal representation and the United Nations High Commissioner for Refugees Office in Tehran.

To the Syrian authorities:

- expressing concern at the alleged deportation to Iran of Ebrahim Khodabandeh and Jamil Bassam;
- if they have been deported to Iran, seeking an explanation as to why this has happened despite their refugee status;
- stressing that the forcible return of any person to a country where they are at risk of torture or ill-treatment is a violation of the principle of *non-refoulement*;
- expressing concern at reports that they were "tortured and harassed" by the Syrian authorities;
- asking for the reports of torture to be investigated and for those found responsible to be brought to justice in accordance with international standards for fair trial.

APPEALS TO:

UK Authorities:

Secretary of State for Foreign Affairs

Rt Hon Jack Straw MP

Foreign and Commonwealth Office

King Charles Street, Whitehall

London SW1A 2AH, United Kingdom

Telegrams: Rt Hon Jack Straw MP, London, United Kingdom

Faxes: + 44 207 839 2417/270 2336

Salutation: Dear Secretary of State,

Iranian Authorities:

President of the Islamic Republic of Iran

His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami

The Presidency, Palestine Avenue

Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Telegram: His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami, Tehran, Islamic Republic of Iran

E-mail: khatami@president.ir (please resend your message if it does not get through the first time)

Salutation: Your Excellency

Minister of Foreign Affairs,

His Excellency Kamal Kharrazi

Ministry of Foreign Affairs, Sheikh Abdolmajid Keshk-e Mesri Av

Tehran, Islamic Republic of Iran

Telegram: Foreign Affairs Minister, Tehran, Islamic Republic of Iran

Faxes: + 98 21 390 1999 (unreliable; please mark "care of the Human Rights Department, Foreign Ministry)

Syrian Authorities:

President of the Syrian Arab Republic

His Excellency President Bashar al-Assad

Presidential Palace

Abu Rummaneh, Al-Rashid Street

Damascus, Syrian Arab Republic

Telegrams: President al-Assad, Damascus, Syria

Faxes: + 963 11 332 3410

Telexes: 419160 prespl sy

Salutation: Your Excellency

Minister of the Interior

His Excellency Major General Ali Hammud
Ministry of Interior
Merjeh Circle

Damascus, Syrian Arab Republic

Telegrams: Interior Minister, Damascus, Syria

Faxes: + 963 11 222 3428

Telexes: 411016 AFIRS SY

Salutation: Your Excellency

COPIES TO: - Diplomatic Representatives of Iran, Syria and the United Kingdom accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 July 2003.