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UA 313/03

Fear of torture and ill-treatment/unlawful detention/incommunicado detention/ill-

health

SYRIA/ CANADA 'Abdallah al-Malki (m), Canadian/Syrian national

Amnesty International is gravely concerned at reports that 'Abdallah al-Malki, a Canadian/Syrian national, has been subjected to prolonged torture and ill-treatment in incommunicado detention in Syria. He is at risk of further torture or ill-treatment.

According to reports, 'Abdallah al-Malki was arrested as he arrived at the airport in the Syrian capital Damascus in May 2002 and was held at a secret location until September or October 2003. He is now believed to be held in Sednaya prison on the outskirts of Damascus. 'Abdallah al-Malki has not been granted permission to see representatives from the Canadian Consulate and has allegedly been denied access to his lawyer and relatives.

'Abdallah al-Malki has reportedly been subjected to a form of torture known as the *dullab*, which involves hanging the victim from a suspended tyre and beating him or her with sticks and cables. He has apparently also been given electric shocks and has been beaten around his body with cables as well as kicked in the head. 'Abdallah al-Malki is said to be in poor health and to have lost a lot of weight.

It is thought that 'Abdallah al-Malki is being held in connection with alleged "terrorist" activities but he has not been charged with a recognizable criminal offence.

BACKGROUND INFORMATION

Amnesty International has repeatedly raised concerns about the use of torture of political detainees in Syrian prisons. Maher Arar, also a Canadian/Syrian national, was detained without charge by the Syrian authorities for one year until his release on 5 October 2003, after which he returned to Canada (see UA 314/02, AMR 51/159/2002, 21 October 2002 and follow-ups). He had been deported from the USA via Jordan in October 2002. He was reportedly accused of having links with alleged "terrorist" groups and was held incommunicado at a secret location in Syria, where he was reportedly tortured and ill-treated.

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

To the Syrian authorities:

- expressing concern at the reports that 'Abdallah al-Malki is being tortured and ill-treated;
- calling for an immediate investigation into the reports that 'Abdallah al-Malki has been tortured and ill-treated, with the results to be made public and anyone found responsible to be brought to justice;
- urging the authorities to ensure that 'Abdallah al-Malki's rights are fully respected, including the right to humane treatment; the right to be informed of the reasons for the detention and to be able to challenge the lawfulness of the detention; the right to the presumption of innocence; the right to prompt access to and assistance of a lawyer; and the right to be able to communicate with, and receive visits from family and friends:
- urging that 'Abdallah al-Malki be given immediate and unrestricted access to Canadian consular officials;
- urging the authorities to provide 'Abdallah al-Malki with any medical treatment he may require;
- calling for the immediate disclosure of the whereabouts of 'Abdallah al-Malki;
- expressing concern that 'Abdallah al-Malki has been held for 1 $\frac{1}{2}$ years without charge or trial and calling for his the immediate release unless he is to be charged with a recognizable criminal offence and given a prompt and fair trial.

To the Canadian authorities

- drawing their attention to the case of the reported torture and incommunicado detention without charge of Canadian/Syrian national 'Abdallah al-Malki;
- urging that they make representations to the Syrian government to ensure that 'Abdallah al-Malki is treated humanely and not subjected to any further torture or other ill-treatment; that he is given immediate access to Canadian consular officials, lawyers, relatives and adequate medical treatment; and that he be released unless he is to be charged with a recognizably criminal offence and given a prompt and fair trial.

APPEALS TO:

Syrian Authorities:

His Excellency

President Bashar al-Assad

Presidential Palace

Damascus, Syrian Arab Republic

Telegram: President al-Assad, Damascus, Syria

Telex: 419160 prespl sy Salutation: Your Excellency

His Excellency

Maj-Gen 'Ali Hammud Minister of the Interior Ministry of the Interior

Merjeh Circle

Damascus, Syrian Arab Republic

Telegram: Interior Minister, Damascus, Syria

Fax: + 963 11 222 3428
Telex: 411016 AFIRS SY
Salutation: Your Excellency

Canadian Authorities:

The Honorable William Graham Minister of Foreign Affairs Ministry of Foreign Affairs 125 Sussex Drive Ottawa, ON, Canada

K1A 0G2

Telegram: Foreign Affairs Minister, Ontario, Canada

Fax: + 1 613 996 9709 Salutation: Dear Minister

COPIES TO: Diplomatic representatives of Syria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 16 December 2003.