

Public

# amnesty international

## APPEAL CASE – SYRIA Syrian-born German held three years without charge in rat-infested Syrian “tomb”

08/10/2004

AI INDEX: MDE 24/066/2004

### Introduction

Amnesty International is very concerned for the health and well-being of Syrian-born German national Muhammad Haydar Zammar who has been held in prolonged incommunicado detention in solitary confinement at the Palestine Branch (*Far' Falastin*) of Military Intelligence in Damascus since November 2001. Apparently he remains detained in cell number 13 of the tiny, underground cells referred to as “tombs” or “graves” by the detainees and prison guards, where conditions are said to be appalling. It is believed that Muhammad Haydar Zammar has had no visits from family or friends, nor had access to a lawyer. The United States' security forces were reportedly involved in his detention and interrogations in Morocco, where he was initially arrested, and in his secret transfer to Syria. He has not been charged with any offence but it is reported that his arrest and detention is related to his alleged links to *al-Qa'ida*.

### Conditions of detention

Muhammad Haydar Zammar's underground cell is believed to be 185cm long, less than 90 cm wide, and under two metres high. Muhammad Haydar Zammar is about two metres' tall himself, and so is unable either to lie down or to stand up properly. He was known to have been a very well-built man at the time of his arrest, but is now said to be “skeletal”. The significant amount of weight he has lost is believed to be a result of extremely poor diet, the very unhealthy conditions of detention, and lack of any medical care.

The underground section of *Far' Falastin* is full of rats which can crawl into the cells. Detainees soon become infested with body lice, and are bitten by other types of lice that live in the detainees' clothes and blankets. Detainees in the underground “tomb” cells will not have a bed or mattress but only, on average, two extremely old blankets. The detainee would have one plastic bottle for drinking water, and another for urinating into. Three short visits to the bathroom are allowed daily - usually limited to several minutes each time, but with 10 minutes on Friday in which to also take a shower or bath and to wash one's clothes. Access to fresh air and sunlight in the yard in *Far' Falastin* is restricted to a maximum of 10 minutes each month, but can be as infrequent as 10 minutes each six to eight months. Released

detainees state that the amount of food provided at *Far' Falastin* is barely enough to keep a person alive, often rotten, and always dirty. Consumers of such a diet run a high risk of getting diarrhoea, and accompanying health concerns related to the cells lacking a toilet or bucket.

### **“Extraordinary rendition” on behalf of the United States?**

Muhammad Haydar Zammar, who is 43 years old, was arrested in Morocco in October or November 2001, detained and interrogated for two weeks then secretly transferred to Syria. The *Washington Post* reported senior Moroccan government sources as saying that US agents took part in his interrogation in Morocco, and that US officials knew that he would subsequently be transferred to Syria. He is believed to be one of the victims of the United States' so-called “extraordinary renditions” policy whereby alleged security suspects have been secretly transferred from the US, or from third countries with the involvement of the US, to countries where torture and ill-treatment may be more easily carried out to facilitate extraction of information and “confessions”.

Amnesty International has been told that Muhammad Haydar Zammar left Syria when he was about four years old, and then lived in Germany where he obtained citizenship. He reportedly lived in Hamburg. It was reported in the media that the German authorities protested strongly after the secret transfer of Muhammad Haydar Zammar to Syria, but other reports state that the German authorities did not know of his detention in Syria until June 2002. Amnesty International has learnt that one visit by representatives of the German authorities was witnessed taking place during the summer or autumn of 2002, but thereafter no official activities on his behalf have been reported.

### **Background: Torture and ill-treatment in Syrian prisons and detention centres**

Torture and ill-treatment is commonly reported at *Far' Falastin*. In addition to the prolonged solitary confinement in cramped cells and the cruel, inhuman and degrading conditions, detainees are at high risk of beatings and other methods of torture. Amnesty International has documented 38 different types of torture and ill-treatment reportedly used against detainees in prisons and detention centres in Syria. It is believed that most of these forms of torture and ill-treatment continue to be used, and indeed that new methods are being used. In 2004 alone, Amnesty International has received information on the deaths in custody of eight Syrians, of whom five were Syrian Kurds, reportedly following torture and ill-treatment and/or the denial of medical treatment. No investigation is known to have been carried out into the deaths. However, on 19 August 2004 Syria acceded to the United Nations Convention Against Torture, which Amnesty International hopes will prove to be a significant step forward for the promotion and protection of human rights in Syria.

### **What can you do?**

**You can write to the Syrian President and/or to the Director of *Far' Falastin*, in English, Arabic, French, or your own language:**

- expressing concern that Muhammad Haydar Zammar has been detained without charge since around November 2001 in mostly prolonged, incommunicado, solitary detention, in cruel, inhuman and degrading conditions;
- expressing concern at reports that he is in very poor physical condition as a result of three years' detention in unhealthy conditions, a very poor diet, and beatings he has received in custody, and urging the authorities both to investigate the reports and to guarantee that he will not suffer any further harm;

- urging the authorities to ensure that Muhammad Haydar Zammar be granted access to a lawyer, to visits from family and friends and the right to any medical assistance he may require;
- and calling for his immediate release unless he is to be charged with a recognizable criminal offence and given a prompt and fair trial.

**You can write to the German Foreign Minister, Joschka Fischer, in German, English, French, or your own language:**

- reminding the German authorities of the case of the reported prolonged, incommunicado, solitary detention without charge, in cruel, inhuman and degrading conditions, of Syrian-born German national Muhammad Haydar Zammar;
- urging that they make representations to the Syrian government to ensure that Muhammad Haydar Zammar is treated humanely, be given immediate access to German consular officials, lawyers, relatives and adequate medical treatment;
- and urging that they press for his release unless he is to be charged with a recognizable criminal offence and given a prompt and fair trial.

**To the Syrian authorities:**

His Excellency President Bashar al-Assad  
President of the Republic  
Presidential Palace  
Abu Rummaneh, Al-Rashid Street  
Damascus, Syrian Arab Republic  
**Fax: + 963 11 332 3410**  
**Salutation: Your Excellency**

Hasan Khalouf  
Director of *Far' Falastin*  
*Far' Falastin* (Palestine Branch) of Military Intelligence  
Damascus  
Syria

**Salutation: Dear Sir**

**To the German authorities:**

Joschka Fischer  
The Federal Minister of Foreign Affairs  
Auswärtiges Amt  
11013 Berlin  
Germany  
**Fax: +49 30 5000 3402**  
**Salutation: Dear Minister**