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Syria: Amnesty International calls for new and impartial investigation into abduction and killing of Sheikh Muhammad Ma'shuq al-Khiznawi

Amnesty International is calling on the Syrian government to investigate the alleged involvement of security officials in the enforced disappearance and murder of a leading Kurdish religious figure in May 2005. In letters to President Bashar al-Assad and Syria's Ministers of Justice and Foreign Affairs the organization questioned the official explanation for Sheikh Muhammad Ma'shuq al-Khiznawi's death, that he was killed by members of a "terrorist, criminal gang", in light of information pointing to the involvement of state officials.

Sheikh Muhammad Ma'shuq al-Khiznawi "disappeared" in Damascus on 10 May 2005. His body was returned to his family in al-Qamishli 20 days later. The Syrian authorities deny any role in his abduction and death although he is reported to have been subject to harassment by Syrian security officials in the period before his abduction and to have feared for his life. As early as 1 June 2005 Amnesty International stated that information it had received suggested that Sheikh Muhammad Ma'shuq al-Khiznawi may have died as a result of torture after being detained by Syrian Military Intelligence. The latest information received casts further doubt on the Syrian authorities' denial:

- o During the period of "disappearance", two senior officials – whom Amnesty International names in its letters – reportedly acknowledged to concerned individuals that Sheikh Muhammad Ma'shuq al-Khiznawi was being held in Syrian custody;
- o According to reports, Sheikh Muhammad Ma'shuq al-Khiznawi was detained for some of this period at the Palestine Branch of Military Intelligence, at Sednaya prison and later at Tishreen Military Hospital, where he was said to have been in a very critical state of health.

This, and other information received, also raises suspicions about the thoroughness and independence of the official investigation and suggests that the sole path of enquiry apparently being pursued by the authorities – namely that the abduction and killing was carried out by a "terrorist, criminal gang" and about which some of its alleged members were shown on Syrian state television on 2 June 2005 "confessing" to the killing – is both insufficient and flawed.

This information includes:

- o The family of Sheikh Muhammad Ma'shuq al-Khiznawi were not permitted to have a private autopsy carried out on the body;
- o The family's lawyers have not received a copy of the results of the official autopsy carried out on the body;
- o The family's lawyers have not received a copy of the dossier of the investigation to date;
- o The description which the members of the "terrorist, criminal gang" gave of the burial of the body and of the grave reportedly does not conform to the grave that was shown to the sons and other individuals;
- o The "fresh" state of the body – notwithstanding apparent signs of torture and other ill-treatment including burn marks to the back and arms, broken front teeth, a broken nose, a lesion to the side of the head and with his beard shaved off - as seen by certain individuals after it was reportedly discovered around 29 May 2005, does not correspond with the expected state of a corpse of someone killed up to three weeks previously and buried in a warm environment, as stated in the televised "confessions" of the "terrorist, criminal gang" members who said that they killed Sheikh Muhammad Ma'shuq al-Khiznawi shortly after they captured him on 10 May 2005.

Consequently, Amnesty International considers the official explanation to date for the abduction and killing of Sheikh Muhammad Ma'shuq al-Khiznawi to be unconvincing and is concerned that the official enquiry is seriously flawed. The organisation is therefore calling on the Syrian authorities to launch a new, independent, thorough and impartial enquiry, for its results to be made public and for those responsible for the Sheikh's abduction and death to be brought to justice in a trial that meets international standards of fairness and does not carry the possible imposition of the death penalty.

While not seeking to prejudice the findings of any such enquiry, Amnesty International repeats its call upon the Syrian authorities to abolish laws that grant immunity from prosecution to members of the security forces for any offences they commit while carrying out their duties, such as Article 16 of Legislative Decree no.14 of 1969 which exempts

employees of the State Security administration from prosecution for any such offences.

Background

Sheikh Muhammad Ma'shuq al-Khiznawi was the head of the Sunnah Centre for Islamic Studies and a prominent member of the Kurdish community. He had called for reforms in Syria and for more dialogue between religious groups. In February and March 2005 he travelled to Europe in connection with his efforts to build stronger relations between the EU and the Kurdish community in Syria, and during which he met with the exiled head of the unauthorised Syrian Muslim Brotherhood. Sheikh Muhammad Ma'shuq al-Khiznawi "disappeared" after leaving the Centre for Islamic Studies in Damascus on 10 May 2005. See Amnesty International, *Leading Islamic cleric "tortured to death"*, MDE 24/036/2005, 1 June 2005.