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Public Statement

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Syria: Rejected asylum-seeker deported from UK sentenced to 12 years' imprisonment after unfair trial

Amnesty International is calling for the immediate and unconditional release of Muhammad Osama Sayes who was sentenced to a 12-year prison term in Syria on 25 June 2006 after being convicted of belonging to the Muslim Brotherhood (MB). The MB is banned in Syria; the maximum penalty for membership is death. He was tried before the Supreme State Security Court (SSSC), whose trials fall far short of international standards for fair trials.

Muhammad Osama Sayes, now 30 years old, was arrested on arrival at Damascus airport in May 2005, following his deportation from the United Kingdom (UK) via Amsterdam's Schiphol airport. His asylum claim in the UK had been rejected despite his known membership of the MB and the known risks of persecution in Syria of MB members or people suspected of having links to the organisation.

Muhammad Osama Sayes was reportedly held in incommunicado detention, without access to visits from his family or a lawyer and at higher risk of torture and ill-treatment, until January 2006. It is thought that he is now held in Sednaya prison, near the capital, Damascus.

Amnesty International considers Muhammad Osama Sayes to be a prisoner of conscience, held solely for his non-violent beliefs. Amnesty International is also calling for the release of all other prisoners of conscience in Syria.

Background

Affiliation to the Muslim Brotherhood is punishable by the death penalty under Syria's Law 49 of July 1980, although the sentence is usually commuted to a 12 year prison term. Many Muslim Brotherhood supporters and sympathisers, and their families, fled Syria following armed clashes with government forces which began in the late 1970s, and the introduction of Law 49 in 1980. The MB formally renounced violence in 1984.

Scores of Syrian returnees over the last few years, including several juveniles, have been arrested, held in prolonged incommunicado detention and unfairly tried. Many have reportedly been tortured. In the past four years, at least 10 returnees appear to have "disappeared" and several have died, apparently as a result of torture or ill-treatment. Particularly at risk appear to be those with present, past or familial connections with the unauthorised MB. (See AI Public Statement: *Syria: Ongoing risks for returnees* (AI index MDE 24/025/2005, 13 May 2005; AI Appeal Case: *Deported to where? Incommunicado detention and torture of forcibly returned Syrians*, MDE 24/085/2005, 19 September 2005; and *Update*, MDE 24/017/2006, 14 February 2006).

Trials before the SSSC, created under Syrian emergency laws in 1968, are notorious for their failure to respect international standards for fair trial. Over the years, Amnesty International has documented evidence showing how SSSC trials are grossly unfair. Verdicts are not subject to appeal, defendants have restricted access to lawyers, judges are granted wide discretionary powers, and confessions allegedly extracted under torture are accepted as evidence. The UN Human Rights Committee has stated that the SSSC's procedures are incompatible with the provisions of the International Covenant of Civil and Political Rights (ICCPR), to which Syria is a state party; even so, the SSSC continues to sit and to hand out heavy sentences.