

UA 313/01 Fear of imminent deportation/fear of torture 7 December 2001

NORWAY Abdulkader Hasan Khalaf (m), aged 46

Abdulkader Hasan Khalaf, a Syrian citizen of Kurdish origin, is currently in hiding with his wife and four children in Norway. He has exhausted all legal channels of challenging the decision by the Norwegian Ministry of Justice to reject his application for asylum. He is under threat of imminent deportation to Syria, where he is at risk of detention, torture and unfair trial for his affiliation to an illegal political party.

Immediately after receiving the final rejection of his asylum application from the Norwegian Immigration Appeals Court on 11 September, Abdulkader Hasan Khalaf and his family went into hiding. They have lodged a civil court case against the Norwegian authorities, accusing them of disregarding their obligations under Article 3 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment not to return "a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture".

Since the early 1980s Abdulkader Hasan Khalaf has been active in a number of illegal Kurdish parties in Syria. Between 1988 and 21 May 1999, when he fled Syria, Abdulkader Hasan Khalaf was reportedly remanded in custody and interrogated by the Syrian security services for short periods of one to two days about five to six times a year. In 1993 he joined the Yeketi Party (Union Party) and became involved in the promotion of Kurdish language and literature in Syria. The Yeketi Party is considered by the Syrian authorities to be a "terrorist" and "separatist" group and over the years Amnesty International has received information about scores of Yeketi Party members being routinely detained and tortured by the authorities.

BACKGROUND INFORMATION

Torture and ill-treatment is routinely inflicted on Syrian Kurdish political prisoners, while they are held incommunicado in Syrian prisons and detention centres. Muhammad Shukri 'Allush, a Syrian Kurd aged 18, died in the custody of the Syrian police in May 2001 reportedly as a result of torture.

The Syrian authorities impose heavy restrictions on the production and circulation of Kurdish literature, including books and music. In the past the Syrian authorities have arrested and arbitrarily detained Syrian Kurds for their involvement in the organization of Kurdish cultural activities including the Kurdish *Nawruz* (New Year) celebrations.

In a case similar to that of Abdulkader Hasan Khalaf, the Syrian authorities in December 2000 detained Hussain Daoud, a Syrian Kurd, upon his forced return from Germany (See UA 107/01, MDE 24/005/2001, 26 April 2001). He has since been detained by the Syrian authorities on the charge of being a member of a separatist movement and has reportedly been subject to torture and ill-treatment.

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

- expressing concern that Abdulkader Hasan Khalaf risks arbitrary detention and torture if forcibly returned to Syria by the Norwegian authorities;
- urging the Norwegian authorities to reconsider Abdulkader Hasan Khalaf's asylum application;
- reminding the Norwegian authorities of their obligations under the Convention against Torture and the Convention relating to the Status of Refugees which prohibits the return of people to countries where they face the risk of torture and ill-treatment.

APPEALS TO:

Mr. Kjell Magne Bondevik
Prime Minister
The Office of the Prime Minister
Pb. 8001 Dep.
0030 Oslo
Norway

Telegrams: Prime Minister, Oslo, Norway

Fax: + 47 22 24 95 00

Salutation: Dear Prime Minister

Director Terje Skjeggstad
The Immigration Appeals Court
Pb. 8165 Dep.
0034 Oslo
Norway

Telegrams: Director of Immigration Appeals Court, Oslo, Norway

Fax: + 47 21 08 50 01

Salutation: Dear Mr Skjeggstad

Mrs. Erna Solberg
Minister of Local Government and Regional Development
The Ministry of Local Government and Regional Development
Pb. 8112 Dep.
0032 Oslo
Norway

Telegrams: Local Government Minister, Oslo, Norway

Fax: + 47 22 24 27 40

Salutation: Dear Minister

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 18 January 2002.