

PUBLIC

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UA 326/08

Incommunicado detention / Torture

SYRIA

Basel Ghalyoun (m), aged 27

Basel Ghalyoun has been held in incommunicado detention by the State Security Branch in the capital Damascus since 22 July 2008. Amnesty International is concerned that he is at risk of torture or other ill-treatment.

He was forcibly returned to Syria from Spain on 22 July and arrested immediately upon arrival at Damascus International Airport. According to his lawyer, since his arrest he has been allowed only one phone call to his family, who had been waiting for him at the airport.

In October 2007, Basel Ghalyoun was convicted by Spain's National Criminal Court of involvement in the 11 March 2004 bomb attack on commuter trains in Madrid that killed 191 people. However, on 17 July 2008, the Supreme Court acquitted him of all charges on appeal. The Court ruled that he had Islamist views and had been in contact with some of the people responsible for the terrorist attack, but found no evidence indicating that he was personally involved in the actual attack. (See UA 205/08, EUR 41/014/2008, 18 July 2008 and follow-up.)

Basel Ghalyoun left prison on the day of his acquittal, but was immediately told that he was under an expulsion order, and was taken into police custody to await expulsion to Syria. Neither Basel Ghalyoun nor his lawyer knew of the expulsion order until Basel Ghalyoun was taken into custody. His lawyer was not given the documentation which would have enabled him to appeal against the order until it was already too late to do so.

Basel Ghalyoun had lived in Spain since 2001, when he arrived on a student visa. He later obtained a residency and work permit and was present legally in the country when he was arrested.

BACKGROUND INFORMATION

Torture and other ill-treatment are widespread in Syria's detention and interrogation centres. People suspected of affiliation to unauthorized Islamist groups or of possessing information about terrorism are at particular risk of arbitrary arrest and imprisonment in Syria. In 2007, more than 170 people were sentenced after grossly unfair trials before the Supreme State Security Court (SSSC), criminal courts and military courts; most were alleged to be members of unauthorized Islamist groups. In March 2007 the SSSC convicted 24 men from the Qatana area, near Damascus, of "forming an organization formed with the aim of changing the economic or social status of the state" and "weakening nationalist sentiment", apparently solely on the basis of "confessions" which the men said had been extracted from them under torture. The SSSC sentenced them to between four and 12 years in prison, but failed to investigate the men's torture allegations.

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

- urging the authorities to release Basel Ghalyoun immediately unless he is to be charged with a recognizably criminal offence;
- calling on the authorities to guarantee that he will not be tortured or otherwise ill-treated, and reminding them that Syria is a state party to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

- urging the authorities to immediately allow him visits from his family, a lawyer of his choosing and any medical treatment he may require.

APPEALS TO:

President

His Excellency Bashar al-Assad
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Damascus
Syrian Arab Republic

Fax: + 963 11 332 3410

Salutation: Your Excellency

Minister of Defence

His Excellency General Hassan Ali Turkmani
Ministry of Defence
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Salutation: Your Excellency

Minister of Justice

His Excellency Muhammad al-Ghafari
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Salutation: Your Excellency

Ministry of Interior

His Excellency Major General Bassam Abdel Majid
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Salutation: Your Excellency

Minister of Foreign Affairs

His Excellency Walid Mu'allim
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Syrian Arab Republic

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Salutation: Your Excellency

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 7 January 2009.