PUBLIC Al Index: MDE 24/040/ 2003

15 October 2003

Further Information on UA 351/02 (MDE 24/050/2002, 4 December 2002) and follow-ups (MDE 24/052/2002, 17 December 2002; and MDE 24/004/200, 15 January 2003) - Forcible return/Incommunicado detention/ Fear of torture and ill-treatment

### **SYRIA**

## Muhammad Sa'id al-Sakhri (m), engineer - Released

Muhammad Sa'id al-Sakhri was released from prison on 13 October and is now with his family. He was imprisoned for nearly 11 months on charges of belonging to the Muslim Brotherhood Organisation, for which Syrian Law 49 permits punishment by the death penalty.

Amnesty International has received information that Muhammad Sa'id al-Sakhri was tortured and ill-treated during his detention, and was never brought before a court. Following his release, his civil rights will be restricted as he will have to report to a security department every 10 days. There will also be other restrictions on his freedom of movement.

Muhammad Sa'id al-Sakhri, his wife Maysun Lababidi and their four children were forcibly returned to Syria by the Italian authorities on 28 November 2002. They had applied unsuccessfully for political asylum in Italy, where their claim for protection was not examined in a full, fair and satisfactory asylum procedure. The whole family was arrested upon arrival in Syria and Maysun Lababidi and their four children were imprisoned for several weeks before being released.

Many thanks to all those who sent appeals. If possible please send a final round of appeals, in Arabic, Italian, English or your own language:

# To the Syrian authorities:

- -acknowledging the release of Muhammad Sa'id al-Sakhri, but expressing concern at his 11 months of detention without being brought before a court, and reported torture and ill-treatment;
- calling for the lifting of restrictions imposed on his civil rights;
- calling on the authorities to explain the reason(s) for his detention;
- asking for an independent and thorough investigation into the circumstances surrounding his arrest and into the reports that he was tortured and ill-treated.

# To the Italian authorities:

- acknowledging the release of Muhammad Sa'id al-Sakhri, but expressing concern at his 11 months of detention without being brought before a court, and reported torture and ill-treatment;
- seeking an explanation as to why Muhammad Sa'id al-Sakhri and his family were not given access to a fair and satisfactory asylum procedure;
- requesting information on whether or how the authorities will be changing their asylum procedures, given the detention and reported torture of al-Sakhri following his *refoulement* from Italy;
- stressing that the forcible return of any person to a country where they are at risk of torture or ill-treatment is a violation of the principle of *non-refoulement*;
- highlighting that Italy is bound by the principle of *non-refoulement* as a party to the Convention relating to the Status of Refugees, the European Convention for the Protection of Human Rights and Fundamental Freedoms and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

### **APPEALS TO:**

### To the Syrian Authorities:

His Excellency

President Bashar al-Assad

Presidential Palace

Damascus, Syrian Arab Republic

Telegrams: President al-Assad, Damascus, Syria

+963 11 332 3410 Fax: Telexes: 419160 prespl sy Salutation: **Your Excellency** 

His Excellency

Maj-Gen Ali Hammud Minister of the Interior Ministry of the Interior

Merjeh Circle

Damascus, Syrian Arab Republic

Interior Minister, Damascus, Syria Telegrams:

+963 11 222 3428 Fax: Telexes: 411016 AFIRS SY Salutation: **Your Excellency** 

## To the Italian Authorities:

Onorevole Giuseppe PISANU Minister of the Interior/Ministro dell'Interno Ministry of the Interior/ Ministero dell'Interno

Palazzo Viminale via Agostino Depretis 00184 Rome

**ITALY** 

Telegrams: Interior Minister, Rome, Italy

Fax: + 39 06 47 41717 Salutation: **Dear Minister** 

Onorevole Franco Frattini

Minister of Foreign Affairs/Ministro degli affari esteri Ministry of Foreign Affairs/Ministero degli affari esteri Piazzale della Farnesina, 1 00194 Rome, ITALY

Foreign Minister, Rome, Italy Telegrams:

+39 06 36914199 Fax: **Dear Minister** Salutation:

**COPIES TO:** Diplomatic representatives of Syria/Italy accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY.