PUBLIC AI Index: MDE 24/042/2006

16 June 2006

Further Information on UA 246/05 (MDE 24/087/2005, 21 September 2005, 6 June 2006) and follow-ups (MDE 24/091/2005, 11 October 2005; MDE 24/094/2005, 1 November 2005; MDE 24/104/2005, 28 November 2005; MDE 24/008/2006, 26 January 2006; MDE 24/033/2006, 24 April 2006) – Incommunicado detention/torture and ill-treatment/forcible return

SYRIA Mustafa Omar Abdi Malik (m), aged 19 (corrected), Somali national

Muhammad Isma'il al-Daj (m), aged around 19 Muhammad Anis al-Turk (m), aged around 18

New names: 'Abd al Rahman al-Sulti (m)

Wissam al-Ghorani (m)

Mustafa Omar Abdi Malik was finally released without charge on 31 May. He asked Amnesty International to "say thank you to all those people who worked so hard on my case." The other four men named above are held incommunicado in Sednaya prison, on the outskirts of the capital, Damascus. They are believed to have been tortured.

The United Nations High Commissioner for Refugees (UNHCR) had accepted Mustafa Omar Abdi Malik for emergency refugee re-settlement in late April, and shortly after his release he left Syria for the UK, where he joined his father.

Two more men are now reported to have been held since 12 September 2005 on suspicion of membership of an "Islamist" group, although they do not appear to have been charged. 'Abd al-Rahman al-Sulti is from Doma, near Damascus, and Wissam al-Ghorani is from Qura al-Asad, on the outskirts of the city. They were arrested at the same time as Muhammad Isma'il al-Daj and Muhammad Anis al-Turk.

Mustafa Omar Abdi Malik, who had been detained on 6 September 2005, was mainly held incommunicado. He told Amnesty International that he had been held in four different detention centres, the last being the Nationality and Immigration Department detention centre in Damascus, where he was moved in February. He said that towards the end of 2005 he was moved with 36 other detainees to the *Far' Filistin* (Palestine Branch) of Military Intelligence, Damascus, which is renowned for severe torture of detainees during interrogation. However, the Palestine Branch was "full" and all 37 were taken to a military prison where he spent at least nine weeks. We understand that at the military prison, he was under the supervision of Military Intelligence officers. He was tortured and ill-treated: this included prolonged beatings, sometimes on the soles of his feet with sticks: at least one of these beatings continued until the stick broke in two.

He was interrogated about what he knew about a former school acquaintance, Seraj Khalbous. A few days after he was arrested, while held by Political Security in al-Mezze detention centre, Damascus, one of his interrogators took Mustafa Omar Abdi Malik to Seraj Khalbous's cell and asked him to identify him. He said he barely recognized Seraj Khalbous and that his legs were very swollen, possibly from beatings. The interrogator asked Seraj whether Mustafa had "accompanied [him] eight months before" which Seraj denied. Seraj Khalbous was released in October after he was hospitalised for emergency treatment, because of the torture he was subjected to at the Political Security Branch in al-Fayha, Damascus.

Mustafa Omar Abdi Malik was made to fingerprint (as a signature) three "confessions" while he was in custody. Two of these were in fact blank paper, and one was a typewritten statement which he was not allowed to read.

He was held in very poor conditions. For much of the time he was kept in cold, dirty cells, often without even a blanket, and given very little food, of poor quality. He was ill on several occasions and was sent to hospital four times suffering with a stomach infection and repeated attacks of asthma. Several times guards withheld his medication, including an inhaler he had been given for his asthma.

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

- expressing grave concern at reports that Muhammad Isma'il al-Daj, Muhammad Anis al-Turk, 'Abd al Rahman al-Sulti and Wissam al-Ghorani are detained incommunicado, which puts them at grave risk of torture and reminding the authorities that they should be given immediate access to legal representation and family visits as well as any medical treatment they require;
- urging the authorities to ensure that the four men are well treated and not subjected to torture or other ill-treatment in detention;
- calling on the authorities to immediately release all four men unless they are to be charged with a recognizably criminal offence and given a prompt and fair trial in accordance with international standards.

APPEALS TO:

President

His Excellency Bashar al-Assad Presidential Palace al-Rashid Street Damascus Syrian Arab Republic

Fax: + 963 11 332 3410 Salutation: Your Excellency

Minister of Defence

His Excellency General Hassan Ali Turkmani Ministry of Defence Omayyad Square Damascus Syrian Arab Republic

Fax: +963 11 223 7842 Salutation: Your Excellency

Minister of Foreign Affairs

His Excellency Walid Mu'allim Ministry of Foreign Affairs al-Rashid Street Damascus

Syrian Arab Republic

Fax: + 963 1

Fax: + 963 11 332 7620 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 28 July 2006.