

PUBLIC

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**Further Information on UA 22/05 (MDE 24/005/2005, 28 January 2005) and follow-ups (MDE 24/019/2005, 18 April 2005; MDE 24/026/2005, 17 May 2005) - Fear of torture and other ill-treatment/incommunicado detention**

**SYRIA**

**'Abd al-Rahman al-Musa (m) aged around 42, grocery store manager**

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'Abd al-Rahman al-Musa was convicted by the Supreme State Security Court (SSSC) on or around 27 June 2006, under Law 49 of 1980, which states that membership of or affiliation to the Muslim Brotherhood (MB) is punishable by execution. He was sentenced to death, immediately commuted to 12 years' imprisonment.

'Abd al-Rahman al-Musa was affiliated to the MB before he left Syria as a teenager in 1982. He has been detained since he was forcibly returned from the USA via the Netherlands on 19 January 2005, despite the US and Dutch authorities knowing that his previous links with the MB put him at risk of arrest and torture. According to reports, 'Abd al-Rahman al-Musa has spent the majority of his detention incommunicado but is apparently now receiving at least some visits from his family. He is thought to remain in Sednaya prison in the capital, Damascus.

Amnesty International considers 'Abd al-Rahman al-Musa to be a prisoner of conscience, held solely for his non-violent beliefs. The UN Working Group on Arbitrary Detention (WGAD) recently considered 'Abd al-Rahman al-Musa's case and gave the opinion that he was subject to arbitrary detention which contravenes international human rights law, including the International Covenant for Civil and Political Rights (ICCPR), to which Syria is a state party. Detention is arbitrary where it has no legal basis, for example where an individual is held without charge or trial or after the expiry of his or her sentence; and where the individual has not been allowed the right to a fair trial. Over the years, Amnesty International has documented a great deal of evidence showing how trials held before the SSSC are persistently and grossly unfair. Its 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.

For more information on this and other MB cases please see Amnesty International's appeal case update *Deported to where?! Incommunicado detention, torture and unfair trials of forcibly returned Syrians*, MDE 24/048/2006 (<http://web.amnesty.org/library/Index/ENGMDE240482006?open&of=ENG-SYR>); and AI Public Statement *Syria: Rejected asylum-seeker deported from UK sentenced to 12 years' imprisonment after unfair trial*, MDE 24/046/2006, 26 June 2006: (<http://web.amnesty.org/library/Index/ENGMDE240462006?open&of=ENG-SYR>) .

#### **BACKGROUND INFORMATION**

Many Muslim Brotherhood supporters and sympathisers (real or suspected) and their families, fled Syria following armed clashes which began in the late 1970s, and the introduction of Law 49 in 1980. Many MB detainees were extrajudicially executed in custody. Scores of those who left, and their family members, have been arrested on their return to Syria, even after the Syrian authorities have officially consented to their return. Many of these detainees have reportedly been tortured, including children, on account of their suspected links with to the MB. Several have "disappeared", and at least one died in custody in March 2002 while held incommunicado.

**Thanks to all those who sent appeals on this case. No further action is required from the UA network, although Amnesty International will continue to campaign for the immediate and unconditional release of 'Abd al-Rahman al-Musa.**