

PUBLIC

AI Index: MDE 24/052/2002
17 December 2002

Further Information on UA 351/02 (MDE 24/050/2002, 4 December 2002) Forcible return/
Incommunicado detention/Fear of torture and ill-treatment

SYRIA/ITALY Muhammad Sa'id al-Sakhri (m), aged 44, engineer
Maysun Lababidi (f), aged 31
Ragda al-Sakhri (f), aged 11
Muhammad al-Sakhri (m), aged 9
Marwa al-Sakhri (f), aged 6
Rudina al-Sakhri (f), aged 2

According to information received by Amnesty International, the Syrian authorities have confirmed the detention of Muhammad Sa'id al-Sakhri and stated that Maysun Lababidi and their four children have been released. However, none of the family's relatives in Syria or abroad has been able to establish contact with them. There are fears that the whole family remains in incommunicado detention.

On 28 November, Italian authorities forcibly returned Muhammad Sa'id al-Sakhri, his wife Maysun Lababidi and their four children to Syria without examining their claim for protection in a full, fair and satisfactory asylum procedure.

Amnesty International fears that Muhammad Sa'id al-Sakhri is at risk of torture and ill-treatment given his opposition to the Syrian government. In 1982, he was reportedly charged by the Syrian authorities with membership of the unauthorized Muslim Brotherhood Organization.

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

To the Syrian authorities:

- asking that the whereabouts of Muhammad Sa'id al-Sakhri and his family are disclosed and that they be allowed immediate and unrestricted access to a lawyer and their family;
- calling for the immediate release of Muhammad Sa'id al-Sakhri and his family unless they are to be charged with a recognizably criminal offence;
- urging that they will be treated humanely and not subjected to torture or ill-treatment in detention;
- recalling that Syria is bound by international law to observe these minimum standards of treatment.

To the Italian authorities:

- urging the authorities to establish the whereabouts of Muhammad Sa'id al-Sakhri and his family in Syria;
- urging the authorities to take all possible steps to ensure that, Muhammad Sa'id al-Sakhri and his family's rights are fully restored including ensuring respect for the right not to be subjected to torture, cruel, inhuman or degrading treatment or punishment, the right of anyone to be informed of the reasons for detention and to be able to challenge the lawfulness of detention, to the presumption of innocence, to prompt access to and the assistance of a lawyer, and to be able to communicate with, and receive visits from family and friends.
- expressing concern that the deportation to Syria placed Muhammad Sa'id al-Sakhri and his family at risk of human rights violations including incommunicado detention, 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;
- 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
President of the Republic
Presidential Palace
Abu Rummaneh, Al-Rashid Street
Damascus, Syrian Arab Republic

Fax: + 963 11 332 3410

Telegrams: President al-Assad, Damascus, Syria

Telexes: 419160 prespl sy

Salutation: Your Excellency

His Excellency Major General Ali Hammud
Minister of the Interior
Ministry of Interior
Merjeh Circle
Damascus, Syrian Arab Republic

Fax: + 963 11 222 3428

Telegrams: Interior Minister, Damascus, Syria

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

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

Fax: +39 06 36914199

Salutation: Dear Minister

COPIES TO diplomatic representatives of Syria and Italy accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 28 January 2003.