

**PUBLIC**

**AI Index: MDE 24/075/2004**

**13 December 2004**

**UA 333/04**      **Fear of death penalty/Fear of torture and ill-treatment/Medical concern**

**SYRIA**      **Khaled Yahya al-Ra'i (m), aged 55, businessperson**

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Businessperson Khaled Yahya al-Ra'i returned voluntarily to Syria in July 2004 from exile in Jordan, possibly via Turkey. He is now known to have been arrested on arrival, and since then has been held incommunicado at various Military Intelligence branches in the capital, Damascus. He is at serious risk of torture, and is liable to be sentenced to death for his membership of an outlawed political party.

There are also concerns for his health as he reportedly suffers from severe inflammation of the colon and related bleeding in cold weather.

Khaled Yahya al-Ra'i was formerly an active member of the Muslim Brotherhood, which at the time was advocating a strict interpretation of Islamic Shari'a as a means of governance. Its members took up arms against the government in the 1970s, and in 1980, after an attempt to assassinate President Assad, membership of the party was made punishable by death. At the end of 1980 Khaled Yahya al-Ra'i fled to Jordan with his family, as did many other members of the Muslim Brotherhood, in the face of a government crackdown.

He lived there for over 23 years, running a small business, but came under increasing pressure from the authorities to leave, apparently as Jordan's relations with the Syrian government improved. In January 2004 he left Jordan to live in Turkey, but reportedly did not have the correct travel or residency papers: in July 2004 he returned to Syria. Before he left he told his friends and family that he was going to Egypt.

His wife, Mu'eyna Muhammad Yusef Sa'adu, returned to Syria on 14 January 2004, after the Syrian embassy in Jordan apparently gave her a passport and permission to return. She was reportedly threatened and physically abused, and denied the medication she needed for a heart condition, while held by Military Intelligence, but released without charge on 19 February. She was able to rejoin her family in Jordan on 29 February. (see UA 50/04, MDE 24/011/2004, 10 February 2004, and follow-up, MDE 24/015/2004, 3 March 2004)

## **BACKGROUND INFORMATION**

Most political parties have been banned in Syria since 1958. After the Ba'th party came to power in a coup in 1963, the Muslim Brotherhood continued to function underground, but its members were subject to arrest and imprisonment. From the late 1970s the Muslim Brotherhood was involved in armed clashes with government forces, and in July 1980 Law 49 was passed, which made membership of the organisation punishable by death. Many supporters and sympathisers, and their families, fled the country.

The leader of the organisation formally renounced violence in 1986, and in the past few years, particularly since the Jordanian government have become less hospitable to them, many Muslim Brotherhood members and sympathisers have returned to Syria. Dozens have been forcibly returned, from several countries, after their applications for asylum were rejected. Many have been arrested on their return to Syria, even after receiving consent from the Syrian authorities. Many of these detainees have reportedly been tortured; several have "disappeared", and at least one died in custody in March 2002, while held incommunicado.

In the 1980s, many Muslim Brotherhood detainees were extrajudicially executed in custody. More recently, they have been sentenced to death but immediately had the sentence commuted, typically to 12 years' imprisonment.

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

- expressing concern at the reports that Khaled Yahya al-Ra'i has been held incommunicado since July 2004;
- urging the authorities to ensure that Khaled Yahya al-Ra'i is treated humanely in custody, and not tortured or ill-treated, pointing out Syria is a state party to the Convention Against Torture;
- urging them to allow him access to legal assistance of his own choosing, his family and any medical attention he may require;
- asking that he be promptly charged with a recognisably criminal offence, or else released immediately and unconditionally.

**APPEALS TO:**

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**  
**Salutation: Your Excellency**

His Excellency General Ghazi Kan'an  
Minister of Interior  
Ministry of Interior  
Merjeh Circle  
Damascus, Syrian Arab Republic  
**Fax + 963 11 222 3428**  
**Email: somi@net.sy**  
**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 24 January 2005.