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# amnesty international

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## Appeal Case Update 1 – Syria

### Deported to where?! Incommunicado detention and torture of forcibly returned Syrians

14/02/2006

AI INDEX: MDE 24/017/2006

This update to *Appeal Case* (MDE 24/085/2005) includes new pieces of information on each of the cases:

**Releases: Muhammad Fa’iq Mustafa and Ahmet Muhammad Ibrahim**

**Updates: Muhammad Osama Sayes, ‘Abd al-Rahman al-Musa and Nabil al-Marabh.**

#### Releases

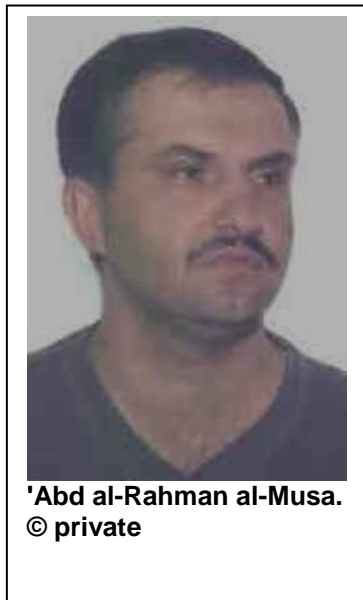
**Muhammad Fa’iq Mustafa** was released on 3 November 2005 from Sednaya prison, outside Damascus, as one of 190 political prisoners released under a presidential amnesty to mark the Muslim ‘Eid holiday. He had been detained without charge since he was deported from Bulgaria on 22 November 2002, and had reportedly been tortured. He was believed to have been tried by a Field Military Court although he was never given details of the charges against him or his sentence. It is believed, that the charges related to alleged membership of the banned Muslim Brotherhood (MB). According to information received from Syria and Lebanon, 101 of the people now released under the presidential amnesty had been detained because they were allegedly linked to the Muslim Brotherhood.

**Ahmet Muhammad Ibrahim**, a Syrian Kurd, was released from Sednaya prison on 22 January 2006. He had reportedly been held in various places of detention in Syria following his deportation from Turkey in March 2005. His deportation was carried out despite the fact that his claim for asylum was still being examined by the United Nations High Commissioner for Refugees (UNHCR) in Turkey. He was immediately detained on arrival in Syria and charged with membership of a Kurdish opposition group. Before his release, Ahmet Muhammad Ibrahim appeared before the Military Court on a charges of membership relating to membership of a Kurdish political party. However, the judge reportedly decided that he was not mentally fit to stand trial.

Ahmet Muhammad Ibrahim is reported to have lost a great deal of weight and is suffering from depression. He was tortured during his first month of detention at the *Far' Filistin* (Palestine Branch) of Military Intelligence in Damascus.

**THANKS TO ALL THOSE WHO TOOK ACTION ON BEHALF OF MUHAMMAD FA'IQ MUSTAFA AND AHMET MUHAMMAD IBRAHIM: NO FURTHER ACTION IS REQUIRED ON THEIR CASES.**

**Muhammad Osama Sayes** was brought before the Supreme State Security Court (SSSC) on 4 December 2005 and again on 15 January 2006. It is not known whether he has any legal representation. According to reports he is charged with membership of the MB; spreading false information against the state (apparently by seeking asylum abroad); and possessing a forged passport. Under Law 49 of 1980, membership of or affiliation to the MB is punishable by execution, although this is usually commuted to 12 years' imprisonment. His case has been adjourned until 12 March. Amnesty International has repeatedly raised concerns that the SSSC procedures fall far short of international standards for fair trial. Muhammad Osama Sayes was held for months in incommunicado detention, but in January 2006 it was reported that he had received at least one family visit.



Muhammad Osama Sayes was deported from the UK, via Amsterdam's Schiphol airport, in May 2005, after his asylum claim in the UK was rejected, despite his known membership of the outlawed MB. Muhammad Osama Sayes was arrested on his arrival in Damascus and transferred to the Political Security branch in Damascus. He is now held in Sednaya prison.

'**Abd al-Rahman al-Musa** has been detained without charge since he was deported on 19 January 2005 from the US via Amsterdam's Schiphol airport, despite his known, previous affiliation to the MB. He has been held in incommunicado detention since April 2005. He is apparently scheduled to appear before the SSSC on 28 February and again in April. The charges against him remain unclear. We understand that 'Abd al-Rahman al-Musa is now being held in Sednaya prison to where he was taken once his

interrogation was completed in November 2005.

**Nabil al-Marabh**, who was not heard from since May 2004, four months after he was deported from the USA, reportedly started to receive monthly family visits from the end of 2005. He is currently held in 'Adra prison outside Damascus and is reportedly scheduled to appear before the SSSC in October 2005 on charges relating to



“subversion”. He does not have access to a lawyer.

**The above cases raise Amnesty International’s continuing concerns about a number of Syrian nationals being detained without charge or trial after being deported to Syria. These returnees are in danger of being subjected to torture and other ill-treatment. Amnesty International is concerned for the three men who remain in detention. They were forcibly returned to Syria from the UK and the US, in two cases, via the Netherlands.**

**For further information on all these cases see the original *Appeal Case – Syria: Deported to where?! Incommunicado detention and torture of forcibly returned Syrians*, AI Index: MDE 24/085/2005, 19/09/2005. (Link:**

**<http://web.amnesty.org/library/Index/ENGMDE240852005?open&of=ENG-SYR>**

### **WHAT YOU CAN DO:**

- express concern to the Syrian authorities that **Muhammad Osama Sayes** has been held in detention for some nine months. He was held incommunicado at least up until January 2006 and remains at risk of torture; that **‘Abd al-Rahman al-Musa** has been held without charge since January 2005, has not been visited since April 2005, and is at risk of torture; that **Nabil al-Marabh** has been held in incommunicado detention without charge from May 2004 until towards the end of 2005 and has reportedly been tortured; and call upon the Syrian authorities to release all three men immediately unless they are promptly charged with recognisable criminal offences and given fair and prompt trials;
- remind the Syrian authorities that the proceedings against **Muhammad Osama Sayes** before the SSSC must comply with international standards for fair trial;
- call upon the Syrian authorities to allow **Muhammad Osama Sayes**, **‘Abd al-Rahman al-Musa** and **Nabil al-Marabh** regular access to visits from family members, lawyers and to be given any medical assistance they may require;
- remind the Syrian authorities that all allegations of torture should be investigated, that alleged perpetrators should be brought to justice, that any “confession” extracted as a result of torture or ill-treatment should be declared inadmissible in court, and that victims and their families be compensated, in line with Syria’s obligations to the UN Convention Against Torture, to which it acceded in 2004;
- inform the relevant authorities in the UK (re **Muhammad Osama Sayes**), US (re **‘Abd al-Rahman al-Musa** and **Nabil al-Marabh**), and the Netherlands (re **Muhammad Osama Sayes** and **‘Abd al-Rahman al-Musa**), of the situation of the above-named deportees to Syria and remind them that the forcible return of individuals at risk of torture or ill-treatment is a violation of obligations under the UN Convention Against Torture, of the principle of non-refoulement under the 1951 Refugee Convention, and of customary international law.

### **Write your appeals to one or more of the following:**

#### **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**  
**Salutation: Your Excellency**

His Excellency General Hassan Ali Turkmani  
Minister of Defence  
Ministry of Defence  
Omayyad Square  
Damascus  
Syrian Arab Republic  
**Fax: +963 11 223 7842**  
**Salutation: Your Excellency**

**US authorities:**  
The Honorable Condoleeza Rice  
Secretary of State  
US Department of State  
2201 C Street, N.W.  
Washington DC 20520  
**Fax: + 1 202 261 8577**  
**E-mail: [Secretary@state.gov](mailto:Secretary@state.gov)**  
**Salutation: Your Excellency**

**Dutch authorities:**  
Mrs M C F Verdonk  
Minister of Immigration Affairs and Integration  
Ministry of Justice  
PO Box 20301  
2500 EH THE HAGUE, Netherlands  
**Fax: + 31 70 370 79 39**  
**Salutation: Your Excellency**

**UK authorities:**  
The Right Honourable Charles Clarke MP  
Secretary of State for the Home Department  
Home Office  
2 Marsham Street  
London SW1P 4DF  
United Kingdom  
**Fax: + 44 207 273 3429 / 4034**  
**Salutation: Dear Secretary of State**

and to diplomatic representatives of Syria, the UK, the US Bulgaria and the Netherlands accredited to your country.