

PUBLIC

AI Index: AMR 51/040/2003

14 March 2003

Further Information on UA 314/02 (AMR 51/159/2002, 21 October 2002) and follow-ups (AMR 51/161/2002, 25 October 2002; AMR 51/019/2003, 10 February 2003) - Fear of torture/incommunicado detention/detention without trial

USA/SYRIA/CANADA

Maher Arar (m), Canadian national

Amnesty International has learned from the Canadian authorities that Canadian consular officials have visited Maher Arar in detention in Syria. These visits will reportedly continue.

According to letters received by UA appeal writers, Bill Graham, the Canadian Minister of Foreign Affairs, protested at Maher Arar's deportation to Syria to the US authorities. In his letters, Bill Graham noted "we [the Canadian authorities] are particularly dismayed that his deportation to Syria took place without Canadian authorities being notified, particularly since the American authorities were fully aware of his Canadian citizenship."

Maher Arar has been held in detention in Syria since his forcible deportation from the USA around 21 October 2002. He has reportedly not yet been charged or tried, and he may be in danger of torture or ill-treatment.

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

To the Syrian authorities:

- expressing concern for the safety of Maher Arar;
- urging that he be humanely treated and not subjected to torture or ill-treatment in detention;
- calling on the authorities to allow him immediate and unrestricted access to his family and a lawyer;
- calling for his immediate release, unless he is to be charged with a recognizably criminal offence.

To the Canadian authorities:

- welcoming the efforts being made to provide assistance to Maher Arar and urging them to continue to press for ongoing and regular consular access;
- urging them to raise concerns with the Syrian authorities that Maher Arar has now been detained without charge or trial for over four months;
- calling on them to press the Syrian authorities to release Maher Arar immediately unless he is charged with a recognizable criminal offence and brought promptly to trial;
- urging them to press the Syrian authorities to allow Maher Arar immediate and unrestricted access to his counsel and his family.

To the US authorities:

- expressing concern at the circumstances in which Maher Arar's deportation took place;
- calling on them to ensure that anybody threatened with extradition or expulsion can challenge the decision to detain and expel them in a fair hearing, including individuals detained in airport "transit zones";
- noting the US governments' obligations under the Convention against Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment and the provisions of other standards of international law;
- urging them to ensure that no other detainees are forcibly removed to a country where they are at risk of torture or ill-treatment or other serious human rights abuses take place.

APPEALS TO:

Syrian authorities:

His Excellency
President Bashar al-Assad
Presidential Palace
Damascus, Syrian Arab Republic
Telegrams: President al-Assad, Damascus, Syria
Telexes: 419160 prespl sy
Salutation: Your Excellency

His Excellency
Maj-Gen Ali Hammud
Minister of the Interior
Ministry of the Interior
Merjeh Circle
Damascus, Syrian Arab Republic
Telegrams: Interior Minister, Damascus, Syria
Telexes: 411016 AFIRS SY
Salutation: Your Excellency

Canadian authorities:

The Honorable Bill Graham
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, Ontario
K1A 0G2 Canada
Telegrams: Minister of Foreign Affairs, Ontario, Canada
Fax: + 1 613 996 3443
Salutation: Dear Minister

US Authorities:

The Honorable John Ashcroft
Attorney General
Department of Justice
950 Pennsylvania Avenue, NW Room 440
Washington DC 20530-001, USA
Telegram: Attorney General, Washington DC, USA
Fax: + 1 202 307 6777
Salutation: Dear Attorney General

The Honorable Tom Ridge
Secretary of Homeland Security
U.S. Department of Homeland Security
Naval Security Station
Nebraska and Massachusetts Ave. NW
Washington, DC 20528, USA
Fax: + 1 202 282 8404
Salutation: Dear Secretary Ridge

COPIES TO:

The Honorable Colin Powell, Secretary of State
2201 C Street, NW
Washington, DC 20520, USA
Telegrams: Secretary of State, Washington DC, USA
Fax: + 1 202 647 2283
Salutation: Dear Secretary of State

and to diplomatic representatives of USA, Syria and Canada accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 25 April 2003.