

URGENT ACTION

SYRIAN RISKS TORTURE IF DEPORTED FROM SPAIN

A Syrian man, Mohamed Zaher Asade, who has lived in Spain for the last 20 years, is at imminent risk of deportation to Syria, where he would be at risk of torture and ill-treatment.

Mohamed Zaher Asade is a 43-year-old Syrian citizen, living in Granada, Spain, with a pregnant Spanish wife and a two-year-old child. He was detained by law enforcement in Granada on 30 March, at around 1pm, when he was walking with his child towards a park. His wife was later asked by police to pick up the child from the police station. Later that day, Mohamed Zaher Asade was transferred from the police station to the Aluche Centre of Detention for Foreigners (*Centro de Internamiento para Extranjeros* – CIE), in Madrid.

Mohamed Zaher Asade was released from prison in September 2010 after serving an eight-year sentence for terrorism-related offences. In January 2009, while imprisoned, he was issued an expulsion order by the Representative of the National Government (*Subdelegado del Gobierno*) in Granada, on the grounds of public order and security. An appeal against the expulsion order is still pending, but a request to suspend the expulsion until the final decision of the court has been dismissed. His expulsion could take place at any time. Amnesty International has received reports that, since his release in 2010, Mohamed Zaher Asade and his relatives have been intimidated and harassed by Spanish authorities, apparently with the aim of making them leave Spain.

Amnesty International has documented a pattern of torture and ill-treatment in Syrian centres of detention and interrogation. Those believed to be “Islamists”, or with information about terrorist groups, are at the highest risk of being arbitrarily detained for prolonged periods, subjected to unfair trials, and tortured or otherwise ill-treated. Amnesty International has also received unconfirmed reports that Mohamed Zaher Asade might be deported to Jordan, rather than Syria. Amnesty International has documented many cases of torture and ill-treatment in Jordan of individuals suspected of involvement in Islamist organizations and/or who may have information related to militant groups. Also, there are cases of individuals being transferred from Jordan to Syria and to other countries after which they then suffered torture and other ill-treatment. Amnesty International’s research shows that bilateral agreements or diplomatic assurances between states allegedly ensuring that individuals will not be subjected to torture and other ill-treatment on return are not reliable and do not provide an effective safeguard against such abuse.

PLEASE WRITE IMMEDIATELY in Spanish or your own language:

- Calling for the expulsion order for Mohamed Zaher Asade to be withdrawn;
- Expressing concern that he is at risk of torture or other ill-treatment if returned to Syria or Jordan;
- Calling for the reports of harassment and intimidation against Mohamed Zaher Asade to be investigated;
- Noting that Spain is obliged, under the 1951 Refugee Convention, the European Convention on Human Rights and the Convention against Torture, not to return or otherwise remove anyone to any country or territory where they would face a real risk of persecution or serious harm, including torture and other grave human rights abuses such as indiscriminate threats to life, physical integrity or freedom arising from generalized violence.

PLEASE SEND APPEALS BEFORE 9 APRIL 2011 TO:

Minister of Interior
Sr. Alfredo Pérez Rubalcaba
Ministro del Interior
Po. de la Castellana, 5
28071 Madrid
Fax: + 34 915371003
E-mail: secmin@mir.es

Salutation: Dear Minister/Sr.
Ministro

And copies to:

President of the Council of Ministers
Sr. D. José Luis Rodríguez Zapatero
Complejo de la Moncloa,
Avda. Puerta de Hierro, s/n

28071 Madrid, España.
Fax: +34 91 335 3382
E-mail: jlzapatero@presidencia.gob.es
Salutation: Dear President/Sr
Presidente

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Mohamed Zaher Asade has been residing in Spain for about 20 years. His wife and child are Spanish citizens.

In 2005, Mohamed Zaher Asade was condemned to jail for eight years for terrorism related offences, in particular for belonging to the terrorist group Imad Eddin Barakat, by the National Court (*Audiencia Nacional*). However, he was cleared of initial charges of participating in the terrorist attacks of 11 September 2001. Another Syrian citizen, Mohamed Needl, was convicted at the same time and may also be at risk of forced return.

In January 2009, the Spanish government ordered his expulsion on the grounds of public order and security.

In October 2010, shortly after Mohamed Zaher Asade's release from prison, Amnesty International wrote to Spain's Minister of Interior to express concern about the risks for Mohamed Zaher Asade's life and physical integrity if he was returned to Syria, and that his expulsion would violate Spain's obligation, under the 1951 Refugee Convention, the European Convention on Human Rights and the Convention against Torture, not to return or otherwise remove anyone to any country or territory where they would face a real risk of persecution or serious harm, including torture and other grave human rights abuses.

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