

EXTERNAL

AI Index: MDE 24/13/96

7 August 1996

Further information (2) on EXTRA 36/96 (EUR 39/04/96, 8 March 1996) and follow-up (EUR 39/05/96, 4 April) - Fear of imminent refoulement and new concerns: "Disappearance" / Torture / Medical Concern / Possible prisoner of conscience

SYRIA / ROMANIA Hussain Kamil, aged 37

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Hussain Kamil, forcibly returned to Syria from Romania on 5 March 1996, has not been heard from since the end of May and is feared to have been arrested, for the third time, by the Syrian authorities. If this is the case, Amnesty International considers him to be a prisoner of conscience, and fears that he is at risk of torture.

Hussain Kamil, a former prisoner of conscience in Syria from 1987 to 1994, was forcibly returned to Syria after being refused access to an asylum procedure in Romania. Upon arrival in Syria, he was immediately arrested and allegedly tortured. He was released on 8 April 1996. He has reportedly been stripped of his Syrian nationality and denied all civil and political rights.

After his release on 8 April, he was apparently extremely ill and unable to walk unassisted. The doctor who examined him reportedly informed him that his recovery would take almost a year. Amnesty International fears that Hussain Kamil is in urgent need of medical treatment as a result of torture.

While the safety of Hussain Kamil in Syria is the responsibility of the Syrian authorities, clearly the Romanian authorities bear some responsibility for any torture he suffered following his *refoulement*. They should act immediately to ensure his current safety in Syria.

#### **BACKGROUND INFORMATION**

Hussain Kamil was arrested in Syria on 28 December 1987 in connection with *Hizb al-'Amal al-Shuyu'i*, Party for Communist Action, (PCA). His arrest warrant was issued on 7 March 1988. He was not brought to trial until 13 October 1992. The outcome of the trial is not known but he was released on 26 March 1994. Amnesty International considers him to have been a prisoner of conscience.

Hussain Kamil married in November 1994. His wife and son are currently seeking asylum in the Netherlands. He has never seen his son who was born on 8 February 1996. He called his wife on 9 April 1996 and informed her that he had been severely tortured.

Syrians seeking asylum are automatically perceived by the Syrian authorities as government opponents. Asylum-seekers who have been affiliated with unauthorized political parties or groups, such as the PCA, risk arrest and torture upon return to Syria.

**RECOMMENDED ACTION:** Please send telegrams/telexes/faxes/express/airmail letters in Arabic/English or your own language:

1) APPEALS TO THE SYRIAN GOVERNMENT:

- seeking confirmation as to whether or not Hussain Kamil was rearrested after his release on 8 April 1996, and calling on the authorities to provide information on his whereabouts;
- if he is detained, calling for his immediate and unconditional release;
- urging that Hussain Kamil be given immediate medical care for any injuries or illness caused by his alleged torture earlier in 1996, and calling for an investigation into the allegations and for anyone found responsible to be brought to justice;
- expressing concern that Hussain Kamil has reportedly been denied all his civil and political rights, as well as his Syrian nationality.

President

His Excellency President Hafez al-Assad  
 President of the Republic  
 Presidential Palace  
 Abu Rummaneh, Al-Rashid Street  
 Damascus, SYRIAN ARAB REPUBLIC  
**Telexes: 419160 PRESPL SY**  
**Telegrams: President al-Assad, Damascus, Syria**  
**Salutation: Your Excellency**

Minister of Interior

His Excellency Dr Muhammad Harba  
 Minister of Interior, Ministry of Interior  
 Marjeh Circle, Damascus, SYRIAN ARAB REPUBLIC  
**Telexes: 411018 AFIRS SY**  
**Telegrams: Interior Minister, Damascus, Syria**  
**Salutation: Your Excellency**

Minister of Justice

His Excellency Hasin Hassun  
 Minister of Justice, Ministry of Justice  
 Al-Nasr Street, Damascus, SYRIAN ARAB REPUBLIC  
**Telegrams: Justice Minister, Damascus, Syria**  
**Salutation: Your Excellency**

Minister of Health

His excellency Dr Muhammad Iyad al-Shatti  
 Minister of Health, Ministry of Health  
 Al-Majlis al-Niyabi  
 Damascus, SYRIAN ARAB REPUBLIC  
**Telegrams: Health Minister, Damascus, Syria**  
**Salutation: Your Excellency**

**2) APPEALS TO THE ROMANIAN GOVERNMENT:**

- reminding the authorities of Romania's obligation under the internationally-recognized principle of *non-refoulement* as enshrined in Article 33 of the 1951 Convention Relating to the Status of Refugees, not to forcibly return anyone to a country where he or she would be at risk of serious human rights violations and pointing out how the *refoulement* of Hussain Kamil resulted in his torture in Syria;
- urging the Romanian authorities to take all appropriate and necessary steps with the Syrian authorities to determine the fate and whereabouts of Hussain Kamil.

**APPEALS TO:**

Minister of Interior

D-lui Ioan Doru Taracila

Ministru de Interne

Str. Mihai Vod|, nr.6

Sectorul 5, Bucuresti, Romania

**Faxes: +401 311-3555; 401 613-0625 (if voice ask for fax)****Telegrams: Interior Minister Taracila, Bucharest, Romania****Salutation: Dear Minister**Minister of Foreign Affairs

D-lui Teodor Viorel Melescanu

Ministru Afacerilor Externe

PiaŰa Victories, Bucuresti, Romania

**Faxes: +401 312 7589****Telexes: 11220****Telegrams: Foreign Minister Melescanu, Bucharest, Romania****Salutation: Dear Minister**

**COPIES TO:** diplomatic representatives of Syria and Romania accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 4 September 1996.