

PUBLIC

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Further information on UA 314/02 (AMR 51/159/2002, 21 October 2002) -
Possible disappearance/ forcible return
New concern: Fear of torture/ill treatment

USA / SYRIAMaher Arar (m), Canadian national

Maher Arar, a Canadian citizen of Syrian origin, has been deported to Jordan and is now reportedly being held in a secret location in Syria. This is the first news of his whereabouts since early October, when he was detained by US authorities for interrogation about possible links with alleged terrorist group *al-Qa'eda*.

According to information received by Amnesty International, Maher Arar was handed over to Syria around 21 October after being detained in Jordan for interrogation. An official from the Canadian Consulate in Damascus was reportedly taken in an enclosed vehicle to meet Maher Arar on 23 October. The meeting took place in the presence of Syrian authorities, and Maher Arar was not allowed to answer all questions asked by the Consul. The Syrian authorities have reportedly said that the Canadian Consul can visit Maher Arar on a regular basis.

Maher Arar has been forcibly removed to a country where torture and ill-treatment of political detainees and the use of incommunicado detention are routine. Expulsion to a country where an individual would be at risk of torture is a violation of the obligations of the US government under international law, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Concern has been expressed at the circumstances in which the US authorities carried out the deportation. Maher Arar was reportedly expelled from the USA without being represented at any hearing prior to deportation, and was not permitted to communicate with family or friends. The US government also failed to provide information on his whereabouts and of the date and circumstances of his removal from the USA. The USA also violated the Vienna Convention on Consular Relations by failing to inform the Canadian authorities of its intention to deport Maher Arar, thereby depriving him of the assistance of his consulate.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English (to the US authorities), Arabic or French (to the Syrian authorities), or your own language:

To the Syrian authorities:

- expressing concern at the detention of Maher Arar, who is being held at an unknown location;
- calling for his immediate release unless he is to be charged with a recognizably criminal offence;
- urging that he be humanely treated and not subjected to torture or ill-treatment in detention;
- asking that the whereabouts of Maher Arar are disclosed and that he be allowed immediate and unrestricted access to his family and a lawyer.

To the US authorities:

- expressing concern that Maher Arar was deported to Jordan and is now in detention at an unknown location in Syria;
- urging the authorities to use their influence to ensure that Maher Arar is humanely treated and not subjected to torture or ill-treatment;

- expressing concern at the circumstances in which the deportation took place and 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 government's 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

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

INS Commissioner James Ziglar
425 I Street NW
Washington DC 20536, USA
Fax: + 1 202 307 9911
Salutation: Dear Commissioner Ziglar

COPIES TO:

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

Salutation: Dear Secretary of State

and diplomatic representatives of the USA and Syria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 December 2002.