

PUBLIC

AI Index: ASA 11/02/00

UA 185/00

Fea.

AFGHANISTAN (PAKISTAN) Professor Mohammad Rahim Elham

Amnesty International is concerned for the safety of Professor Mohammad Rahim Elham, an Afghan refugee living in Pakistan who was reportedly deported in handcuffs to Afghanistan at the Torkham border post on 21 June 2000. He may face detention, torture or even extra-judicial execution in Afghanistan.

Mr. Elham, a Pushtun, is a prominent scholar and former lecturer in the faculty of literature at Kabul University and a member of the Academy of Science of Afghanistan. After fleeing to Pakistan Mr. Elham was employed by a German sponsored non-governmental organization, which works with Afghan refugees in the North West Frontier Province.

According to reports, the Pakistani authorities have cited as reasons for Mr. Elham's deportation his alleged anti-Pakistan statements, including accusing Pakistan of interfering in the internal affairs of Afghanistan.

While the Taleban foreign minister has said that Mr. Elham will be safe inside Afghanistan provided he respects the law, Amnesty International has no information about his safety or whereabouts.

The forcible deportation of Professor Elham is in breach of a recent agreement between the United Nations High Commissioner for Refugees (UNHCR) and the Government of Pakistan to jointly assess refugee claims prior to deportation. The Government of Pakistan has yet to respond to a call by the UNHCR for an assessment of Elham's case, the first under the new agreement. Pakistan has also breached the fundamental principle of *non-refoulement* - not forcibly returning any person to a country where they may be in danger - which is considered to be a rule of customary international law.

BACKGROUND INFORMATION

During the past few years, a number of Afghans, living as refugees in Pakistan, have received death threats and over a dozen have been assassinated. The victims were all Afghans critical of the policies of armed political groups fighting inside Afghanistan who are believed to be closely linked with the Pakistan army. Earlier this month Mohammad Enam Wak, an Afghan writer and member of the nationalist party *Afghan Mellat*, was shot and wounded by gunmen in Peshawar, Pakistan (see UA 146/00, ASA 33/03/00, 7 June 2000).

Similarly inside Afghanistan scores of prominent Afghans advocating an end to the war and the formation of a broad based government representing all ethnic groups have been detained by the Taleban and tortured.

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

To the Taleban:

- urging them to ensure the safety of Mohammad Rahim Elham and guarantee his fundamental human rights;
- requesting assurances from the Taleban that he will not be subjected to human rights abuses.

To the Pakistani authorities:

-expressing dismay that they have deported Mohammad Rahim Elham to Afghanistan, where he is at risk of detention, torture and extra judicial execution;
-urging that Mr. Elham be allowed to re-enter Pakistan to seek protection;
-urging them to ensure that no Afghans living as refugees are subjected to deportation for exercising their right to freedom of expression and opinion;
-urging them to ensure the safety and protection of other Afghan refugees inside Pakistan.

APPEALS TO:

The Taleban authorities:

Mullah Mohammad Omar
c/o Embassy of the Islamic Emirate of Afghanistan
House 8 Street 99
G-6/3 Islamabad
Pakistan

Faxes: +92 51 824 504

Salutation: Dear Mullah Mohammad Omar

The Pakistani Authorities:

General Pervez Musharraf
Chief Executive
National Security Council
General Block, Pakistan Secretariat
Islamabad, Pakistan

Telegrams: General Pervez Musharraf, Islamabad, Pakistan

Faxes: + 92 51 922 4768

Salutation: Dear Chief Executive

Muhammad Shafiq
Governor of North West Frontier Province
Governor's House
Peshawar, Pakistan

Telegrams: Muhammad Shafiq, Peshawar, Pakistan

Salutation: Dear Governor

COPIES TO: diplomatic representatives of Pakistan accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 August 2000.