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Pakistan: Government must ensure safety for two students of Egyptian origin in Pakistan

Amnesty International is deeply concerned for the safety of two Pakistani brothers of Egyptian origin believed to have been abducted by Pakistani intelligence agencies last month.

Brothers Abdullah Mohamed El-Sharkawi, 22, and Ibrahim, 17, went missing on 25 and 29 May respectively. Ibrahim's family discovered on 6 June that he was transferred to Adiala jail in Rawalpindi, near the capital Islamabad, by the Federal Intelligence Agency (FIA).

There has been no news of Abdullah since he went missing and he has not been charged with any offences. Amnesty International fears he is a victim of enforced disappearance and is being held in secret detention where he is at serious risk of torture or other ill-treatment. The organization also fears that Abdullah's life might be at risk.

The Pakistani authorities must investigate the alleged enforced disappearance of Abdullah and reveal immediately his fate and whereabouts if he is being held by state agencies. If he is being held in custody, he must be released immediately unless he is charged with a recognizable criminal offence and remanded by an independent court. He must be held in an official, acknowledged place of detention, allowed access to his family, lawyers and an independent civilian court and be protected from torture or other ill-treatment.

Enforced disappearance is a crime under international law and a serious violation of several human rights. They also violate several provisions of the Pakistan's Constitution.

According to their family, Abdullah and Ibrahim are not affiliated with any political movements. Abdullah, an engineering student in the capital Islamabad, went missing after leaving his hostel for local shops around 6pm on 25 May.

On 27 May, while taking part in a press conference about Abdullah's disappearance, his mother said she received a phone call from Ibrahim telling her that he and his siblings were being questioned by men claiming to be members of the "special branch police" at the family home in Attock, 90km northwest of Islamabad.

Ibrahim disappeared from Attock two days later, after leaving home in the morning to buy groceries. A shopkeeper who claimed to have witnessed the incident said that Ibrahim was forcefully taken by several men in civilian clothes who beat him and drove him away. The shopkeeper said that he had seen the assailants' cars parked by the family house the previous night.

According to a human rights defender acting on behalf of the family, authorities at Adiala jail told them that the FIA had charged Ibrahim with illegal residency in Pakistan and resisting arrest. Ibrahim's mother met him in Adiala jail on 6 June and he told her he had been beaten and handcuffed for a few days and was kept in a cell with adult men.

As a 17-year-old, Ibrahim Mohamed El-Sharkawi is a child, and Pakistani authorities are legally obliged to treat him according to the rules provided in the UN Convention on the Rights of the

Child, to which Pakistan is state party. He must be allowed access to his family, lawyers and an independent, civilian court and be protected from torture or other ill-treatment while in detention. Under the Convention, children may only be detained as a matter of last resort and for the shortest possible time, their parents must be informed of their arrest and where they are being kept. They must also be held separately from adult detainees. Amnesty International is gravely concerned that the Pakistani authorities have instead kept Ibrahim in secret detention for nine days without disclosing his fate or whereabouts, which amounts to enforced disappearance.

In addition, section 10 of the Juvenile Justice System Ordinance, passed in Pakistan in 2000, regulates arrest and detention of children, including the duty to inform the guardian of an arrested child as soon as possible after arrest.

The charges against Ibrahim appear on their face to be baseless for a number of reasons. Both of Ibrahim's parents are Pakistani nationals and because he was born in Pakistan he is entitled to Pakistani citizenship under Pakistan law. Moreover, individuals below the age of 18 are not eligible for separate identity cards in Pakistan.

Despite this, the family has been struggling to obtain Pakistani identity cards for years because their father was until only recently in administrative detention in Egypt and unable to travel to Pakistan to sign the necessary documents. The Peshawar High Court ruled in the family's favour in January 2010, ordering the relevant authorities to issue Pakistani identity cards and passports to them. But authorities have not provided these documents, leaving them vulnerable to abuse.

The father of the two brothers, Mohamed Abdel Rehim El-Sharkawi, and their older brother, Abdel Rahman, were both tortured in Pakistan before being rendered to Egypt in 1995 and 2006 respectively where they faced further torture. Older brother Abdel Rahman was arrested by the Pakistani intelligence agencies in 2004 who held him for 14 months before his rendition to Egypt.

Public Document

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