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Pakistan: Arbitrary detentions -- violation of basic human rights

Amnesty International is concerned at reports that several groups of people, including Pakistani and non-Pakistani nationals, have been arbitrarily detained in the last few weeks. Most of the arrests are connected with issues relating to national security and are accordingly surrounded by secrecy.

"Given the widespread use of torture and other cruel, inhuman and degrading treatment in places of detention in Pakistan, we fear for the life and safety of the detainees. Being held incommunicado they are particularly at risk of torture and ill-treatment. We are also concerned that the detainees may be transferred to US custody in circumvention of Pakistan's extradition law," Amnesty International said today in an open letter to Pakistani president Pervez Musharraf.

"While we acknowledge that the security of the people of Pakistan and the curbing of political violence are important duties of the state, we are concerned that in this context basic civil and political rights of suspects are all too often ignored. Measures to curb violent political acts must be placed strictly in a framework of human rights," the organization continued.

Pakistan has violated a range of human rights obligations which are guaranteed in the Constitution of Pakistan, Pakistan law and international law. It has arbitrarily arrested Pakistani and non-Pakistani people suspected of membership of al-Qai'da and the Taliban or of anti-state activities.

"We are particularly concerned that there are children among those arbitrarily detained. Such arbitrary detention in unacknowledged places violates a range of obligations Pakistan entered when ratifying the Convention on the Rights of the Child in 1990."

Amnesty International raised concern in 2003 with the Government of Pakistan about two children of a wanted man suspected of links to al-Qa'ida who have been in arbitrary detention since September 2002 but has not received any response from the Government of Pakistan.

There are indications that some of detainees may be in the process of being handed over to the US without reference to any legal requirements, including Pakistan's domestic legislation governing extradition. In the past Pakistan has handed over several hundred detainees to the US where they are likely to suffer further human rights violations.

"We call on the Government of Pakistan to strictly adhere to Pakistan's own constitutional and legal safeguards and international human rights law and standards," Amnesty International said. "To discriminate against those suspected of 'terrorist' or 'anti-state' offences by arbitrarily arresting them and handing them over while circumventing formal extradition proceedings violates the principle of equality before law and

equal protection of law which are fundamental rights recognized in the Constitution of Pakistan. "

For the full text of the open letter, please go to:

<http://web.amnesty.org/library/index/engasa33022004>

and for the full text of 2002 report on Pakistan, please go to:

"Pakistan: Transfers to US custody without human rights guarantees"

<http://web.amnesty.org/library/index/engasa330142002>

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