

URGENT ACTION

IDRIS KHATTAK IN PRISON AFTER SECRET MILITARY TRIAL

In December 2021, there were unconfirmed reports of human rights defender Idris Khattak being declared guilty of espionage after a secret trial by a military court. Idris' family and lawyer have yet to receive any information on the status of his case. His lawyer raises serious fair trial concerns, making the conviction more troubling in light of his initial abduction by state authorities. His family has been able to confirm that he is yet to be vaccinated against Covid-19, further endangering his life given prison overcrowding. His family is worried that he is being denied access to appropriate nutrition despite his medical conditions. The government should ensure Idris' right to a fair trial and to appropriate healthcare.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Prime Minister Imran Khan

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Your Excellency Prime Minister Imran Khan,

*I write to you out of extreme concern for the life and safety of **Muhammad Idris Khattak**, a 57-year-old human rights defender and former consultant with Amnesty International. Abducted by state authorities on 13 November 2019 and subject to enforced disappearance, he was reportedly declared guilty after a secret military court trial, with no information regarding his sentence, the status of his case or the appeals process.*

As a civilian, Idris should have never been tried in a military court in the first place. No one has been held accountable or even identified for abducting Idris and keeping him incommunicado for over seven months. Information about his sentencing has not even been made available to his family, let alone to the public. His family has been in anguish for over two years, waiting for answers and making it impossible for them to plan any legal recourse.

Idris' rights to a fair trial, due process, dignity and life have all been blatantly violated from the moment he was forcibly disappeared, to his detention in deplorable conditions. He remains unvaccinated against the Covid-19 virus, putting him at further risk in an overcrowded jail. His family has also expressed worry about his access to appropriate nutrition and medical attention, a flagrant denial of his right to health which is all the more concerning given his pre-existing medical conditions such as diabetes.

I call upon your government to immediately provide details of Idris' case and situation to the family and his lawyer, take the necessary steps to guarantee respect for his right to a fair trial in a civilian court, and urgently ensure his access to appropriate healthcare, including vaccination against Covid-19 and appropriate nutrition.

Yours sincerely,

ADDITIONAL INFORMATION

In November 2021, the lawyer was told by the court that Idris had been found guilty but no order or sentence was issued. Following this, there were unconfirmed reports circulating online stating he had been declared guilty. The family had not received any official information about the status of his case and were relying on updates on social media. Idris was eventually found to be in Adiala jail in Rawalpindi, Pakistan in December 2021 through the family's own investigation. Talia, his daughter, has been able to visit him in the high security prison ward.

According to Idris' lawyer, he was only allowed to meet with his client on three occasions during the trial. Each meeting was filmed, and they were continuously accompanied by an army officer, and were not permitted to speak in Pashto – their native language.

At a hearing at the Peshawar High Court on 13 January 2021, the Khattak family appealed that as a civilian, Idris must be tried in a civilian court and not a military court. This appeal was denied in an order published on 28 January 2021. More information about the charges against Idris were revealed in the judgment published on 30 January 2021. He has been charged on multiple counts related to spying and other conduct "prejudicial to the safety or interests of the State" under Section 3 of the Official Secrets Act (OSA) as well as section 59 of the Pakistan Army Act, 1952 – which gives military courts jurisdiction to try civilians for some offences under the OSA.

This "offence" seems to be a meeting with Michael Semple in July 2009 - over ten years before Idris' enforced disappearance. The court order dubs Semple as an MI6 agent. At the time of the meetings, Semple was a fellow at Harvard University's Carr Center for Human Rights and had been a high-ranking UN and EU official in Afghanistan for 20 years. He was expelled from Afghanistan for "unauthorized activity in 2008." Semple is currently a professor at Queen's University in Belfast.

The court order makes no mention of Idris' enforced disappearance, or any accountability that the authorities must face for keeping him apart from his family and keeping his family uninformed of his whereabouts and situation.

Idris Khattak has worked as a consultant with Amnesty International and other international human rights NGOs. For years, he has documented a wide range of human rights violations and humanitarian crises in the Khyber Pakhtunkhwa and the former Federally Administered Tribal Areas.

He was on his way home from Islamabad when his rented car was intercepted near the Swabi Interchange of Khyber Pakhtunkhwa province. The only other person in the car was the driver with whom Idris Khattak has travelled frequently. The driver was also picked up with Idris Khattak on 13 November 2019. His family only found out about his disappearance once the driver was released the night of 15 November 2019.

On the night of 16 June 2020, the Ministry of Defence finally admitted that they have Idris Khattak in their custody, and this was reiterated by a hearing held by the Joint Investigation Team on 17 June 2020.

The current government of Imran Khan promised to criminalize enforced disappearances through legislation. However, the bill currently tabled before the Senate [falls short of international standards](#), and its progress is undermined by reports of continued disappearances.

PREFERRED LANGUAGE TO ADDRESS TARGET: [English, Urdu]

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 15 March 2022

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Muhammad Idris Khattak (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa33/3660/2021/en/>