

PUBLIC

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Possible “disappearance”/ Fear of forcible return

17 July 2003

PAKISTAN

Abdulwahab Tohti (m)
Muhammed Tohti Metrozi (m)

Abdulwahab Tohti and Muhammed Tohti Metrozi, two ethnic Uighur Chinese nationals, have gone missing in Rawalpindi, northern Pakistan. Their current whereabouts are unknown, but they are believed to have been detained by the Pakistani authorities. Amnesty International is concerned that they are at risk of forcible return to China where they would be at risk of torture and possible execution.

Both men reportedly went missing on 16 July. Little is known about Abdulwahab Tohti’s “disappearance”, but Muhammed Tohti Metrozi went missing after receiving a telephone call at around 2pm, which was apparently from an official at the Pakistani Intelligence Bureau. Muhammed Tohti Metrozi left his home shortly afterwards to meet the official, and has not been heard from since.

Muhammed Tohti Metrozi was recognised as a refugee by the United Nations High Commissioner for Refugees (UNHCR) in December 2002. He was awaiting resettlement to Sweden and was due to travel there at the beginning of August. Abdulwahab Tohti had not applied for asylum. Little is known about his background or situation in Pakistan, but he is believed to have travelled there for religious studies.

Last year, three Uighur asylum seekers, Abdul Latif Abdulqadir (also known as Ablitip Abdul Kadir), Ilham Tukhtam (also known as Elham Tohtam) and Enver Tohti (also known as Enver Dawut) were forcibly returned to China from Rawalpindi. All are believed to have been detained secretly by the Intelligence Bureau in Rawalpindi before their deportation. Unofficial sources suggest that they are currently imprisoned in Urumqi in China’s Xinjiang Uighur Autonomous Region (XUAR). There is no further information about their current legal status, treatment or state of health.

BACKGROUND INFORMATION

Following the attacks of 11 September 2001 in the USA, China has intensified its political crackdown in the XUAR, branding those in favour of independence for the region as “ethnic separatists” or “terrorists”. Unconfirmed reports suggest that China has put significant political pressure on neighbouring countries, including Pakistan, to return those it suspects of being involved in “separatist” activities.

Any Uighur asylum seekers or refugees suspected of being involved in pro-independence groups or activities are at risk of serious human rights violations, including torture, unfair trials and possibly the death penalty if they are forcibly returned to China.

Even though Pakistan is not a state party to the 1951 Convention relating to the Status of Refugees, it is still bound by the principle of *non-refoulement*. This principle is a norm of customary international law, i.e. binding on all states, and prohibits the forcible return of a person to a country where they would be at risk of serious human rights abuse, such as torture.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- urging the authorities to guarantee that they will not send Abdulwahab Tohti and Muhammed Tohti Metrozi back to China;
- asking where the two men are being held, and the reasons for their detention, and urging the authorities to ensure that they have immediate access to UNHCR, lawyers, their families and medical treatment should they require it;
- calling on the authorities to immediately release Muhammad Tohti Metrozi with a view to facilitating his resettlement to Sweden;
- urging the authorities to release Abdulwahab Tohti immediately unless he is to be charged with a recognisably criminal offence;
- urging the authorities to ensure that no Chinese nationals are deported to China without due process and access to UNHCR;
- reminding the authorities of their obligations under international law not to forcibly return anyone to a country where they might be at risk of serious human rights violations, including torture.

APPEALS TO:

Mian Khurshid Mahmud Kasuri
Minister of Foreign Affairs
Constitution Avenue
Islamabad, Pakistan

Telegram: Foreign Affairs Minister, Islamabad, Pakistan
Fax: +92 51 9202518 / 9224205 / 9224206
E-mail: pak.fm@usa.net
Salutation: Dear Minister

Faisal Saleh Hayat
Minister for the Interior
Block R,
Federal Secretariat
Islamabad, Pakistan

Telegram: Interior Minister, Islamabad, Pakistan
Fax: + 92 51 9202624
E-mail: minister@interior.gov.pk
Salutation: Dear Minister

Pervez Musharraf
President
Pakistan Secretariat
Islamabad, Pakistan

Telegram: President Pervez Musharraf, Islamabad, Pakistan
Fax: + 92 51 9224768
email: CE@pak.gov.pk
Salutation: Dear President

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 28 August 2003.