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Pakistan: no to forcible return of Uighurs to China

Ahead of a bilateral meeting between China and Pakistan, Amnesty International is urging the Pakistan government not to forcibly return 22 unnamed Uighurs to China for fear that they could be at risk of serious human rights violations.

According to reports, the Chinese authorities have demanded that Pakistan locate and hand over 22 Uighurs who are said to be hiding in an unknown tribal area in Pakistan.

The Pakistan Interior Minister Aftab Ahmad Khan Sherpao is due to discuss the issue with Chinese officials at a meeting of the Pakistan-China Joint Working Group on Terrorism in Beijing on 25 June 2007.

The 22 Uighurs under threat of arrest and deportation from Pakistan are alleged to be members of the East Turkistan Islamic Movement, which is claimed by the Chinese authorities to be an armed secessionist group with bases in the Xinjiang Uighur Autonomous Region (XUAR) in northwest China, as well as in Pakistan. The group was listed as a 'terrorist organization' by both the US and the UN in 2002 after repeated lobbying from China. The evidence that formed the basis for this decision remains unclear.

Amnesty International is concerned that Uighurs suspected of involvement in what China terms as "separatist, terrorist or illegal religious activities" are at risk of serious human rights violations if forcibly returned to China, including unfair trial, torture and execution.

"China continues to make little distinction between Uighurs involved in peaceful or violent nationalist activities, branding them as 'separatists' or 'terrorists'. Whatever they are accused of, the risks posed to these individuals if forcibly returned to China are extremely grave," said Tim Parritt, Deputy Director of Amnesty International's Asia-Pacific Programme.

In a recent case, Husein Dzhelil, a Uighur who had been recognised as a refugee and resettled to Canada, was tried in Xinjiang after being forcibly returned to China from Uzbekistan in June 2006. He claimed to have been tortured after his return to China, including by being starved, deprived of sleep and subjected to death threats to force him to sign a 'confession'. He was denied access to Canadian consular representatives and to a lawyer of his choice, and sentenced to life in prison in April 2007.

Another Uighur, Ismail Semed was executed in Xinjiang on 8 February 2007 after being sentenced to death for 'attempting to split the motherland' and other offences related to possession of firearms and explosives. He had been forcibly returned to China from Pakistan in 2003.

Amnesty International opposes the forcible return of anyone to a country where they are at risk of serious human rights violations, including torture or the death penalty. The organization would like to remind the Pakistani authorities that under international law, states are obliged not to expel, return or extradite any person to a country where they risk torture or other ill-treatment (the principle of non-refoulement). This obligation applies to all states, irrespective of whether they have signed up to the relevant human rights treaties, and to all forms of involuntary transfer. It is also

absolute – it permits no exceptions arising from circumstances such as war or public emergency, or individual factors such as offences allegedly committed or danger posed by the individual concerned.

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