

Oral Statement by Society for Threatened Peoples

a non-governmental organization in special consultative status

**MAIN CONTACT PERSON:
ULRICH DELIUS**

P. O. Box 2024
D-37010 Göttingen

Phone: +49 (0)551 49906-27
Fax: +49 (0)551 58028
E-Mail: asiens@stps.de

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The Society for Threatened Peoples (STP) welcomes the most recent report of the Working Group on Arbitrary Detention (A/HRC/19/57), and especially appreciates the Working Group’s remark on the connection between arbitrary detention and the principle of non-refoulement.

In many areas of the world, refugees and asylum seekers are particularly vulnerable to arbitrary detention based on politically motivated charges from their countries of origin. In these cases, extradition often ensues in complete contravention of international human rights law, notably the principle of non-refoulement.

In this regard, the STP highlights the importance of the Working Group’s remark on the obligations under which detaining states must release arbitrarily detained foreigners into their own territory should a deportation violate the principle of non-refoulement. The pressure exerted for example by the Chinese authorities on neighbouring states to detain and extradite Uyghur refugees is particularly worrying.

In addition, many governments use arbitrary detentions to facilitate enforced disappearances as a means of suppressing any form of peaceful dissent, which constitutes a violation of international human rights law, such as the Universal Declaration of Human Rights, the ICCPR, and of international customary law.

As noted in the current report of the Working Group on Enforced or Involuntary Disappearances (A/HRC/19/58), countries like China are notorious for such human rights violations and the STP deeply appreciates the Working Group’s urgent action issued on the enforced disappearance of the Uyghur refugee Ershidin Israel, whose whereabouts are unclear since his forcibly deportation from Kazakhstan to China nearly one year ago.

The STP also shares the Working Group’s serious concerns about secret detention in China. While a new Criminal Procedure Law was approved on 8 March 2012, the STP remains concerned that individuals suspected of crimes involving national security or terrorism can still be detained in a "designated facility" without notifying their family members if the seriousness of the charges require this measure. In the light of the Chinese government’s abuse of state security charges to silence dissidents, opposition, and minorities, the STP strongly urges the Working Group to closely monitor the developments on the issue. In China, the whereabouts of hundreds of Uyghurs detained and forcibly disappeared solely for having exercised their right to freedom of expression and religion are unknown.

The STP therefore urges both the Working Group on Arbitrary Detention and on Enforced Disappearances to request visits to China to assess these pressing issues in the country.

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