Dear Excellency,

I write this letter to request an urgent action and assistance from the **Ministry of Justice of the Islamic Republic of Pakistan** in protecting the rights of the Turkish teachers and citizens, including women and children who were abducted and detained in Kabul, Afghanistan on December 12, 2017. Currently, Mr. Yilmaz Aytan and Mr. Sami Yavuz are held in isolation under house arrest and guarded by police officers at the door and outside the building 24/7. They all have UNHCR asylum seeker certificate and are under the protection of the UNHCR in Afghanistan where they have genuinely contributed in providing quality of education, peace, and sustainable development for more than 20 years.

As you are aware, the Afghan-Turk Çag Educational NGO is dedicated to serve the children (future) of Afghanistan by providing quality of education based on Article 46 of the Constitution of Afghanistan and the provisions of the Education Act of the Ministry of Education since 1995. The Afghan-Turk Cag Educational NGO established 11 boys and girls schools serving 7000 students including 2000 female students despite the safety and security issues in Afghanistan.

These educational institutions aim to cultivate young generations who are productive citizens to advance sustainable peace and development by respecting fundamental human rights. The schools contribute to sustainable peace through education while preventing violent extremism and radicalization at local, national, and global levels.

The Afghan-Turk Schools have become a socio-cultural entity that constructed a universal language of peace, coinciding with the culture of peace initiative of the United Nations. The Afghan-Turk Schools are among the best local schools in Afghanistan praised by former Presidents and the government of Afghanistan for their achievement in education. They have made positive social and economic contributions including preventing radicalism, religious extremism and violence.

I understand that Afghan-Turk School have come under immense pressure after the failed coup attempt in Turkey that declared members of the Hizmet movement as “the public enemy” in Turkey and abroad. Since 2014, the Turkish government pursued a persistent, coordinated and systematic campaign against the Turkish schools abroad by claiming that these schools were an extension of a “parallel state”– a term coined by president Erdoğan to label individuals and civil society groups that refused to participate in government wrongdoings.

I regret to learn that president Erdogan is pressuring the Afghan government to shut down the Afghan-Turk Schools or subsequently hand them over to Maarif Foundation, which is funded by the Turkish government that will act as an extension of the government in Afghanistan. Furthermore, president Erdogan is requesting the extradition of the Turkish teachers who have dedicated their life for the service of the children of Afghanistan. The UNHCR provided the teachers with the Asylum Seeker Certificate because it is evident by the Concluding Observation of the CAT Committee that these teachers will face torture, ill-treatment, and imprisonment if they are deported to Turkey.

On 12 December 2017, state agents acting on behalf of the Government of the Islamic Republic of Afghanistan, arbitrarily abducted and deprived of their liberty of Mr. Yılmaz Aytan, Mr. Önder Akkuşçi, Mr. Masood Wardak, Mr. Yunus Demirci and Mr. Sami Yavuz. It is noteworthy that the abduction of the above individuals came only hours after Afghan President Ashraf Ghani left for Istanbul, Turkey, to attend the Organization of Islamic Cooperation (OIC) Summit. According to media reports, a former Afghan security official who wished not to be named said that the teachers might be extradited to Turkey even though the two countries have no extradition agreement.

I am seriously concerned on the possibility that the above individuals, none of them with any criminal record and lawful residents of Afghanistan, will be again placed beyond the protection of the law and will become subject to deportation and subsequent torture and ill-treatment. Abducted and detained individuals were subsequently subject to extraordinary rendition and imprisoned in Turkey, where they have allegedly been subject to torture and other ill-treatment.

Agents acting on behalf of the Government of Afghanistan have arbitrarily deprived of their liberty and held incommunicado Mr. Yılmaz Aytan, Mr. Önder Akkuşçi, Mr. Masood Wardak, Mr. Yunus Demirci and Mr. Sami Yavuz, through detaining them in the most devastating way for the entire Turkish community residing in Afghanistan – actions inconsistent with the relevant international standards set forth in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and the relevant international legal instruments accepted by the Islamic Republic of Afghanistan.

Based on the above, I do believe that the case of the abducted teachers and a businessperson on December 12, 2017 in Kabul, Afghanistan is a time-sensitive matter possibly involving ill-treatment, torture, and loss of life. Their situation warrants an urgent appeal to the government of Afghanistan, with the view of avoiding their imminent risk of deportation to Turkey, a country where they risk torture, ill-treatment and a real risk to their lives.

It is in principle undeniably a matter for the Islamic Republic of Afghanistan to decide whom it will admit in its territory. In the current circumstances, however, when rightful considerations of prohibition of inhuman treatment and respect for family life arise, all the Turkish nationals in distress in the country enjoy the protection of accepted international human rights instruments, in relation to their further stay and the enjoyment of their inherent rights in Afghanistan. Any forcible return of individuals at extreme risk to Turkey, or any other place where they face torture, ill-treatment and where they face a real risk to their lives, violate Afghanistan's obligations under international law, notably the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which it is a state party since 1987.

**Due to the gravity of the situation, I also request that you raise the issue with Afghan officials as a matter of priority, and I encourage you, to urge the Government of Afghanistan, in absence of any accusation, to immediately and unconditionally release the individuals at risk**.

On December 17, Mr. Yunus Demirci, Onder Akkusci, and Mr. Masood Wardak were released; however, Mr. Yilmaz Aytan and Mr. Sami Yavuz were under house arrest that face possible deportation to Turkey. There is a reason to believe that Mr. Yilmaz, Mr. Yavuz and their respective family members are currently at a high risk of imminent unlawful removal to Turkey for the following reasons:

1. Passports of Mr. Yilmaz, Mr. Yavuz and all their family members were confiscated from the police, as a “condition” of release from custody and placement under house arrest;
2. Mr. Yilmaz and Mr. Yavuz are currently held in isolation under house arrest in the house of Mr. Yavuz. They are guarded by police officers at the door and outside the building 24/7.
3. Spouses and children of both, Aytan Yilmaz and Sami Yavuz are currently staying together at the Yilmaz apartment.

I respectfully request the Afghan authorities to ensure that the individuals at risk avoid expulsion in Turkey, where they would, with great deal of certainty, be subject to torture and ill-treatment. I do believe that this is also an important moment to act in accordance with the Constitution of Afghanistan and relevant provisions of accepted international human rights treaties, in particular CAT Article 3. I further believe that this is also an opportunity to demonstrate Afghanistan's resolute commitment to upholding the highest standards in the promotion and protection of human rights, ahead of its upcoming UN Human Rights Council membership.

Yours Sincerely,