

PUBLIC

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05 November 2007

UA 292/07 Illegal detention/prisoner of conscience

PAKISTAN Asma Jahangir (f)
Hina Jilani (f)
Iqbal Haider (m)
I. A. Rehman (m)
Brigadier (rtd) Rao Abid Hameed (m)
Shahtaj Qizilbash (f)
Imran Qureshi (m)
At least 48 other human rights defenders detained in the state of emergency

Asma Jahangir, Chairperson of the Human Rights Commission of Pakistan (HRCP) has been placed under house arrest following the state of emergency imposed on 3 November by General Musharraf.

The detention order for 90 days was issued against Asma Jahangir on 3 November by the Home Department of the Government of Punjab. She remains under house arrest at her home in Lahore. Ms Jahangir is a leading human rights activist and lawyer in Pakistan and the UN Special Rapporteur on freedom of religion or belief.

A 90-day detention order has also been reportedly issued against Hina Jilani, UN Special Representative of the Secretary General on human rights defenders. Her house has been surrounded by police and there is grave concern that she will be detained on her planned return to Pakistan.

According to media and other reports, at least 55 civil society activists, including a number of HRCP staff and council members, were arrested on 4 November when they attended a meeting at the Commission's office in Lahore to discuss the situation in the country following the state of emergency.

Iqbal Haider, HRCP Secretary General and former attorney general of Pakistan, and HRCP director I A Rehman, were among those detained; they were subsequently placed under house arrest.

Amnesty International is concerned for the health of a number of those detained, including Brigadier (retired) Rao Abid Hameed and Shahtaj Qizilbash - both elderly human rights activists associated with HRCP - and also Imran Qureshi, a lawyer with the Women's Rights organization, Shirkat Gar, who is suffering from a heart condition and requires daily medication. All three are detained in Lahore.

BACKGROUND INFORMATION

Acting in his capacity as army chief of staff, General Musharraf suspended the bulk of the Constitution, including the rights not be arbitrarily deprived of life and to be guaranteed a fair trial. He assumed powers to amend the Constitution without any parliamentary procedure and proclaimed a Provisional Constitutional Order (PCO). This order prohibits any court issuing an order against the President, Prime Minister or any person exercising powers under their authority.

Under the order, existing members of the superior judiciary are effectively suspended until they take a new oath to uphold the PCO. Only five of 17 Supreme Court Justices have taken the oath. Many Supreme Court and Provincial High Court Justices are now effectively under house arrest.

By 5 November, hundreds of lawyers, human rights activists and political workers had been arrested or arbitrarily detained across Pakistan. Independent TV and radio news channels have been prevented from

broadcasting within the country since Saturday. New laws restricting freedom of print and electronic media were issued, breach of which attracts three to four years imprisonment and heavy fines.

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

- expressing concern for the safety of human rights defenders and others who have been arbitrarily arrested and detained under the country's preventive detention orders;
- urging the authorities to ensure that no one is subjected to torture or any other form of cruel inhuman and degrading treatment or punishment;
- urging the authorities to immediately provide medical treatment to detainees who are suffering from ill health;
- calling on the authorities to release immediately human rights defenders and others arrested under preventive detention measures, who are not charged with recognizably criminal offences, or are detained solely for the exercise of their rights to freedom of expression, association or assembly;
- urging the authorities to cease arbitrary arrests and detentions under the state of emergency;
- calling on the authorities to protect and uphold the constitutional human rights guarantees, including safeguards on life and liberty.

APPEALS TO:

President Pervez Musharraf
Pakistan Secretariat, Islamabad, Pakistan
Fax: +92 51 9221422
E-mail: via website: <http://www.presidentofpakistan.gov.pk/WTPresidentMessage.aspx>
Salutation: Dear President Musharraf

Mr Aftab Ahmed Khan Sherpao
Minister for the Interior
Ministry for the Interior
Room 404, 4th Floor, Block R, Federal Secretariat
Islamabad, Pakistan
Fax: +92 51 9202624
E-mail: minister@interior.gov.pk
secretary@interior.gov
Salutation: Dear Minister

Mr Zahid Hamid
Minister of Law, Justice and Human Rights
Room 305, S-Block, Pakistan Secretariat
Islamabad, Pakistan
Fax: +92 51 9202628
+92 51 9201631
E-Mail: minister@molaw.gov.pk
Salutation: Dear Minister

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 17 December 2007.