

PUBLIC

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9 November 2007

UA 301/07 **Fear or torture or ill treatment/illegal detention**

PAKISTAN **Ayub Qureshi (m)]**
 Ghulum Farid Awan (m)] politicians
 Hasil Bizenjo (m)]
 Yusuf Mastikhan (m), trade union leader
 Liaquat Ali Sahi (m)

Three politicians and a trade union leader are among those arrested on charges of sedition and rioting, after making speeches against the imposition of emergency rule by General Musharraf. The group have been remanded in police custody in Karachi until 19 November, and are at risk of torture or ill treatment. In the context of the state of emergency, the charges against the men appear to be politically motivated in an effort to suppress their right to freedom of expression, association and peaceful assembly.

The detainees are Hasil Bizenjo, a Baluch nationalist leader and former parliamentarian; Ayub Qureshi, provincial chief of the Baluch National Party; Yusuf Mastikhan, Vice President of the National Workers Party and trade union leader; and Liaquat Ali Sahi. The detainees have been active in campaigns to assert the interests and protect the rights of the people of Baluchistan province. Another political activist, Ghulum Farid Awan, is also feared to have been arrested on charges of sedition.

The men were arrested on 6 November in Karachi, after participating in a civil society meeting at the Karachi Press club to protest against the imposition of emergency rule. They were presented before a magistrate court on 8 November and were remanded in judicial custody until 19 November.

BACKGROUND INFORMATION

Acting in his capacity as army chief of staff, on 3 November 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.

The PCO and the new oath of office for the superior judiciary effectively rendered the position of existing judges invalid. The majority of the Supreme Court and Higher Court judges declined to take the new oath, resulting in their removal from service. Many of them are now under house arrest.

Since the imposition of emergency, police and law enforcement agencies have arrested thousands of lawyers, political activists and human rights defenders. On Monday 5 November, more than 300 lawyers were arrested in Lahore and have been charged under Pakistan's anti-terrorism laws. They have since been detained in city jails across the country. There have been mass arrests, into the thousands, of political opponents across the country.

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. Two daily newspapers have been issued with notices to refrain from publishing materials which violate the new press laws.

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

- urging the authorities to ensure that none of the detainees are tortured or otherwise ill-treated;
- urging the authorities to ensure that the detainees have access to lawyers of their own choice;
- expressing concern that the charges appear to have been levelled for political reasons and aimed to suppress their rights to freedom of expression, association and peaceful assembly, and accordingly, that they are prisoners of conscience whom the authorities should release;
- calling on the authorities to protect and uphold the constitutional human rights guarantees, including safeguards on life and liberty.

APPEALS TO:

President Pervez Musharaff

Pakistan Secretariat, Islamabad, Pakistan

Fax: +92 51 9221422

E-mail: via website: <http://www.presidentofpakistan.gov.pk/WTPresidentMessage.aspx>

Salutation: Dear President Musharaff

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

Dr. Ishrat Ul Ebad Khan

Governor Sindh

Governor House

Karachi,

Fax: +92 21 920 1218 / 1226

E-mail: governor@governorsindh.gov.pk

Salutation: Dear Governor

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 19 November 2007.