

# AMNESTY INTERNATIONAL

## PRESS RELEASE

AI Index: ASA 33/018/2002 (Public)  
News Service No: 115  
5 July 2002

### **Pakistan: Tribal councils must stop taking law into their own hands**

The Pakistani authorities must act to ensure that tribal councils cease to arrogate unlawful powers to themselves, Amnesty International said today in a letter to the Chief Justice of Pakistan asking him to ensure that justice is done for a young woman sentenced to rape by a tribal council.

An 18-year-old woman from Meerwala in Punjab province, was sentenced to being raped in 'punishment' for her 12-year-old brother's alleged 'illicit affair' with a girl from a tribe considered 'higher' than his, the Mastoi tribe. There are unconfirmed reports that the boy was allegedly sodomized to punish him for his 'offence' immediately after he was found walking in the company of the Mastoi girl.

Members of the Mastoi tribe and the tribal council reportedly threatened that all the women of the accused boy's family would be abducted and raped if the tribal council's verdict was not accepted and the 18-year-old sister of the accused boy refused to accept her 'punishment'. The 'trial' took place in the presence of several hundred local residents none of whom took any action to prevent the rape.

"Given the wide local participation, it must be assumed that local police was aware of the event as it unfolded, if not directly present during the incident," Amnesty International said.

After the 'judgment', the gang-rape was carried out by four men, including one member of the tribal council in an adjacent hut while members of the Mastoi tribe reportedly stood outside and cheered. After the rape the woman was driven naked through the streets of her village before hundreds of onlookers. Relatives of the girl were too frightened of retribution by the Mastoi tribe to approach police.

Local police only accepted a complaint by the woman's father seven days after the offence, when a delegation of lawyers met local police authorities and insisted on the registration of the complaint. As the perpetrators had fled, police arrested eight of their relatives to put pressure on the accused to surrender. On 2 July 2002 police arrested eight people, including members of the tribal council who had taken part in the 'trial' on charges of abetment of rape.

Amnesty International welcomed the Supreme Court's interest in this case, and in its letter presented two other cases raised in previous reports, and requested the authorities to take urgent measures to bring perpetrators of these abuses to justice. Amnesty International has repeatedly urged the government to take such measures, but has yet to receive an official response.

"Tribal councils have no legal standing, and the Pakistani authorities have failed to take adequate measures to prevent such bodies from taking the law into their own hands," Amnesty International said.

Amnesty International's worldwide membership is campaigning on the woman's behalf.

#### **Background:**

The tribal council is an institution that goes back to traditional forms of conflict resolution through mediation; it is not part of the judicial system. It has no legal standing but persists as a council of elders that passes informal judgements seeking compromise solutions in local disputes. There are no uniform terms of reference for the council, and there is no legislation governing it.

Amnesty International is concerned about reports that village councils have illegally tried and sentenced people to cruel, inhuman and degrading punishments.

For more information please see:

Pakistan: Insufficient protection of women (AI Index: ASA 33/006/2002),  
<http://web.amnesty.org/ai.nsf/recent/asa330062002>.

Pakistan: Violence against women on the increase and still no protection (AI Index: ASA 33/008/2002),  
<http://web.amnesty.org/ai.nsf/recent/asa330082002>.

#### Public Document

\*\*\*\*\*

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

For latest human rights news view <http://news.amnesty.org>