

AMNESTY INTERNATIONAL WEB FEATURE

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Crackdown intensifies in Pakistan

Arrests of members of the political opposition continued in Pakistan over the weekend as the government changed the law to make it easier to crack down on their opponents.

Although opposition Pakistan People's Party (PPP) leader Benazir Bhutto was released from detention in her house late Friday night, police and law enforcement agencies continued to arrest PPP party workers in Karachi, Lahore and other cities. Those arrested included members of Parliament and provincial assemblies.

Many PPP workers were baton-charged and prevented from taking part in demonstrations. In Rawalpindi, 84 party workers arrested on Friday were jailed.

In a highly disturbing development, the government also amended the Pakistan Army Act, 1952, yesterday (Sunday) to allow the trial of civilians under by the military authorities. Under these amendments, which have been backdated to be effective from January 2003, civilians can be tried by the military authorities on charges including from treason, sedition and "statements conducive to public mischief".

The offence of "statement conducive to public mischief" poses a serious threat to print and electronic media and civil society activists. Publishing any materials that include comments against the imposition of the emergency could be at the risk of being taken as "public mischief". This seriousness of this threat is clear in the light of recent sedition charges filed against political activists and lawyers who protested against the imposition of the emergency.

Offences under the Army Act had previously been tried by magistrates' courts. Now, in trials by military authorities, the accused will not have full legal representation. Counsel can only represent an accused in the capacity of a friend, while ordinary rules of evidence do not apply.

Asma Jahangir, the Chair of the Human Rights Commission of Pakistan, has said that this retrospective application of the amended Army Act will allow the government to legitimise all illegal acts of disappearances carried out by the intelligence and other agencies with impunity. Asma Jahangir has herself been under detention at her house since 3 November.

Restriction on the broadcast of independent TV and radio channels within Pakistan continues and the government ordered 3 reporters of the UK newspaper, The Daily Telegraph, to leave the country within 72 hours on Saturday. The orders came after the newspaper published an editorial critical of General Musharraf. The newspaper has confirmed that it has withdrawn its Pakistan correspondents.

In Lahore, an anti-terrorist court granted bail to 350 lawyers arrested on 5 November and charged under terrorism laws on Saturday. Another 47 arrested on the same day and under the same charges, but considered most active in the campaign against the emergency, remain in detention. The court adjourned hearing on their bail applications for 17 November.

Some senior lawyers, including the president of SCBA, are still being held in incommunicado detention, while there are no details about the whereabouts of others.

General Musharraf announced yesterday that the general elections will be held in first week of January next year and that current assemblies will be dissolved in the coming days on completion of their constitutional tenure. Caretaker governments will be formed at the federal and provincial levels, but emergency rule continues.

The General has indicated that he will step down as head of the army and remove his uniform once the newly-constituted Supreme Court approves his candidature. This had been challenged before an 11-member bench of the same court before the imposition of emergency.

The Supreme Court today accepted a petition challenging the imposition of emergency and issued notices to the Attorney General and other relevant authorities.