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Pakistan: Crackdown on sectarian violence must not jeopardize rights

Amidst reports of country-wide arrests of over a thousand Islamists, Amnesty International said that the rights of those suspected of religiously motivated violence must not be ignored.

"Sectarian violence has troubled Pakistanis, particularly those belonging to minorities, for a long time and we have repeatedly called on the government to protect the safety and security of the public from such violence. But in the process, the fundamental rights of members of radical groups must be upheld."

Arrests currently at 1,500 detainees, but still ongoing started before President Musharraf's speech on 12 January 2002 in which he stated that sectarian violence must end and that Pakistan could not be used as a springboard for militant attacks in other countries. Five Islamist groups were banned and 390 of their offices sealed. Many leaders of such groups went underground. According to interior ministry officials, Islamists were arrested "on suspicion that they could indulge in activities threatening public peace". Most were detained under the Maintenance of Public Order Ordinance which allows for administrative detention of up to three months.

"No one should be detained without charge or trial on mere suspicion", Amnesty International said. Governments frequently argue that they have to have resort to administrative detention as the normal safeguards are too stringent to permit successful prosecution leading to imprisonment on criminal charges. Circumventing regular safeguards to hold people in an informal or shadowy criminal justice system is

unacceptable. Holding people without charge or trial violates fundamental rights of freedom of the person.”

In recent months, Amnesty International has repeatedly expressed its concern about different aspects of countries' new legislation as a response to the "terrorist threat" and strongly opposes new legislation that undermines human rights and promotes detention without charge.

Background

The banned groups include the Lashkar-e-Taiba, Jaish-e-Mohammad (radical groups accused of fighting Indian forces in Jammu and Kashmir), Sipah-e-Sahaba Pakistan, Tehreek-i-Jafria Pakistan (Sunni and Shia sectarian groups who have reportedly targeted members of the respective other religious group) and Tehreek-e-Nifaz-e-Shariat Mohammadi (a movement based in the tribal area near the border with Afghanistan and reportedly sympathetic to the Taliban).

The crackdown over the past weekend on the Islamist parties was triggered by a military escalation between India and Pakistan as India accused two of the groups of the 13 December attack on the Indian parliament building in New Delhi. Lashkar-e-Taiba and Jaish-e-Mohammad are also widely believed to be involved in fighting Indian rule in Jammu and Kashmir. Even before this weekend several hundred activists of the two parties were detained, mostly in Punjab province. Earlier the leaders of other religious parties, Qazi Hussain of the Jamaat-e-Islami and Fazlur Rahman of the Jamiat-e-Ulema-i-Islam were placed under house arrest.

Sectarian violence has cost scores of lives over the past year; minorities have been particularly at risk of harassment and violence. Repeated attempts of the government to come to grips with groups promoting

such violence have been mostly unsuccessful. The Government of Pakistan repeatedly announced, but did not fully implement, plans to reform the *madrassas* (Islamic seminaries), some of which have provided militant training; to reduce the glut of arms; and to prosecute and punish anyone found responsible for religiously motivated violence. The impunity with which sectarian killings have been perpetrated have fuelled their persistence; they have been facilitated by the state often not investigating and prosecuting sectarian killings and failing to provide protection to victims and witnesses of such violence.

For background see: *Pakistan: Insufficient protection of religious minorities,*

<http://web.amnesty.org/ai.nsf/recent/ASA330082001?OpenDocument>

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