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PAKISTAN: APPALLING HUMAN RIGHTS SITUATION LEAVES LITTLE CAUSE FOR CELEBRATION

The majority of Pakistan's people will have little reason to celebrate the country's 50th anniversary on 14 August 1997 as they are still being denied the fundamental human rights guaranteed to them by their Constitution, Amnesty International said in a report launched today.

A culture of violence prevails in Pakistan. Elected governments have failed to repair the damage caused by long periods of martial law, during which civil and political rights were suspended, political institutions destroyed and the Constitution distorted.

"Torture, including rape, is widespread in Pakistan. Police often intimidate and humiliate people in custody, beat, kick and use electric shocks on detainees, hang them upside down and deprive them of food and sleep," Amnesty International said. "Many people die as a result of torture every year, yet virtually no police have been brought to justice for torturing or killing detainees."

Yusuf Jakhmani, a politician in his early forties, died in military custody in 1992 after he was reportedly tortured for six days. According to a witness, *"his neck was broken ... his back appeared to have been roasted and there was a burn and a fracture on his right arm. Even his genitals had cigarette burns. It seems that someone had attempted to pull out his fingernails ... his nostrils were oozing blood."*

Following the police's refusal to register a complaint, the victim's father pursued the case in vain until late 1996, when the family's lawyer told Amnesty International that Yusuf Jakhmani's father had given up his struggle as he did not believe justice would ever be done. His story is not unusual in Pakistan, where such cases are the rule rather than the exception.

The police do not just show utter contempt for the human rights of detainees, but also for the legal process. They often choose to shoot criminal suspects or so-called 'terrorists' dead rather than arrest them.

"Scores of people are extrajudicially executed in Pakistan every year. The official story is always that police fired in self defence, even when their victims have been seen to be arrested, disarmed and hand-cuffed," Amnesty International said.

Ordinary Pakistanis fear not just the police, but also the law. The death penalty is applied to an expanding range of offences in Pakistan -- a tendency which flies in the face of the increasing international trend towards abolishing this cruel form of punishment, and which disregards the fact that it has never been proved to have a uniquely deterrent effect.

The law often prescribes other cruel, inhuman and degrading punishments, including the use of bar fetters and chains, whipping, amputations and stoning to death. It also permits children to be sentenced to death, fettered and whipped.

Women are explicitly discriminated against -- the Zina Ordinance allows women to be imprisoned solely on the grounds of their gender and allows rape victims to be accused of unlawful sexual intercourse if they cannot prove that they were raped. It is also a criminal offence for specific religious groups to profess, practice and propagate their faith.

Fifteen-year-old Jehan Mina became pregnant after being raped by her uncle and her cousin. Her family filed a complaint of rape but since there were no witnesses, the alleged rapists were acquitted. Yet her pregnancy was taken as proof that *zina* (extra-marital sexual intercourse) had taken place and she was sentenced to 100 lashes in public. The punishment was later converted to three year's imprisonment and 10 lashes.

Despite its ratification of the United Nations Convention on the Rights of the Child and the UN Convention on the Elimination of all Forms of Discrimination against Women, Pakistan has failed to install the relevant legal safeguards. Instead, successive governments have shown complete disregard for the rule of law.

Existing legal and constitutional safeguards are habitually ignored as state agents violate human rights with virtual impunity. Ordinary people, particularly members of vulnerable groups, are unable to obtain redress. The majority of Pakistan's 131 million people are denied the benefits of economic growth. Some 35 million men, women and children in Pakistan live in abject poverty, 60 million people do not have access to any health facilities and 89 million are deprived of basic sanitation facilities.

In its new report, "*Pakistan: Time to take human rights seriously*", Amnesty International calls on the Government of Pakistan to do just that, and to use its strength in Parliament to protect and promote human rights. This would be not so much a birthday present from the Government of Pakistan to the country's people but the final honouring of fundamental rights denied them for 50 years, the human rights organization said.

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