

PUBLIC

AI Index: ASA 33/047/2007

28 November 2007

Further Information on UA 291/07 (ASA 33/026/2007, 05 November) and follow-ups (ASA 33/034/2007, 12 November 2007; ASA 33/045/2007, 22 November 2007) - Fear of torture/ill-treatment/possible prisoner of conscience/ health concern

PAKISTAN

Ali Ahmed Kurd (m)

Tariq Mahmood (m)

Atizaz Ahsan (m)

Munir A. Malik (m)

Other lawyers arrested as part of the State of Emergency

Late on 23 November, Munir A. Malik was transferred to the Pakistan Institute of Medical Sciences (PMIS) in Islamabad, from Attock Jail, where doctors describe his current condition as 'life-threatening'. Amnesty International believes that the conditions in which he was detained, and the authorities' failure to grant him immediate access to adequate medical care, have resulted in the deterioration in his health.

Lawyers who saw Munir A. Malik have stated that doctors believe that he is suffering from renal failure and that he has undergone three sessions of dialysis since his admission to hospital.

Following his transfer to hospital on 23 November, the authorities, while keeping him under armed guard, began to provide appropriate medical care. On 25 November the detention order against him was withdrawn and he was transferred to the hospital's general medical ward.

There are also concerns for the health of Tariq Mahmood, who, after being removed from Sahiwal Jail to Kot Lakhpat Jail in Lahore, was admitted to the Services Hospital in Lahore on 25 November for medical tests. According to a government authorities he has being diagnosed as suffering from severe osteoarthritis. The detention order against him remains in place.

Ali Ahmed Kurd was moved from Jhelum Jail to Rawalpindi on 26 November. He is standing as a candidate in the general elections scheduled for January 2008, and was moved to a new place of detention to allow him to file his nomination papers in person before government officials, as required by Pakistani law. Ali Ahmed Kurd also requested to file nomination papers in Quetta, his home district. He was permitted to do this, but was then ordered to be detained for a further 30 days. He is being held in Quetta jail.

Atizaz Ahsan was moved from Adiala jail in Rawalpindi to his home in Lahore, where he currently remains under house arrest.

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.

Since the imposition of emergency, police and law enforcement agencies have arrested thousands of lawyers, political activists and human rights defenders.

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

- calling for an immediate and independent investigation into the circumstances of the rapid deterioration in Munir A. Malik's health;
- urging the authorities to ensure Munir A. Malik and Tariq Mahmood have access to all necessary medical treatment;
- calling for the immediate and unconditional release of the remaining lawyers in custody;
- calling on the authorities to ensure that none of them is tortured or otherwise ill-treated;
- calling on the authorities to protect and uphold the constitutional human rights guarantees, including safeguards on life and liberty.

APPEALS TO:

President Pervez Musharraf
Pakistan Secretariat, Islamabad, Pakistan

Fax: +92 51 922 1422

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

Salutation: Dear President Musharraf

Hamid Nawaz Khan
Minister for the Interior
Room 404, 4th Floor, Block R, Federal Secretariat
Islamabad, Pakistan

Fax: + 92 51 920 2624

E-mail: minister@interior.gov.pk /secretary@interior.gov

Salutation: Dear Minister

Syed Afzal Haider
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

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 9 January 2007.