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Pakistan: Government indifference as lawyers defending women's rights are threatened with death

Amnesty International is appalled that over a week after a woman seeking divorce was shot dead in her lawyer's office, none of the accused has been arrested. Instead, the lawyers who were defending the victim and other women have been left fearing for their lives.

Members of the Peshawar Chamber of Commerce, of which the victim's father is chairman, and local *ulema* (Islamic scholars), have publicly stated that the honour killing was in accordance with religious and tribal traditions. They have accused human rights lawyers Asma Jahangir and her sister Hina Jilani, in whose offices the murder took place, of 'misguiding women'. Declaring them *kafirs* (non-believers), local *ulema* have issued a *fatwa* (religious edict) calling on believers to kill the two women.

"By remaining silent in the face of such blatant incitement to murder, and by taking no effective action against those responsible for the so-called honour killing of a young woman, the government of Pakistan has displayed a disturbing indifference to women's rights," Amnesty International said.

"An atmosphere in which human rights defenders, including lawyers, cannot do their work without fearing for their lives and safety, is intolerable. The authorities clearly have a responsibility to protect Asma Jahangir and Hina Jilani, and should take effective measures to do so immediately."

On 6 April 1999, 29-year-old Samia Sarwar, a mother of two young boys, was shot dead in Hina Jilani's offices in Lahore. The lawyer was also fired at but not injured. A colleague, Shahtaj Qisalbash, was abducted by the perpetrators but eventually released. The reason behind the killing, threats and abduction was that Samia Sarwar's family felt their honour had been tarnished by her seeking a divorce after years of domestic abuse by her husband.

In 1998, several hundred honour killings were reported in Pakistan, but the true number is thought to be considerably higher. Such murders often occur only on the basis of rumour, and without allowing the women an opportunity to defend themselves from accusations that they have disgraced their families. The practice stems from a traditional view of family honour as being grounded in women's obedience of customary norms in general and maintaining their chastity in particular.

Most honour killings go virtually unpunished as the police and judiciary usually side with the offenders. Specific legal provisions which reduce punishment for actions supposedly caused

by "grave and sudden provocation" and the Qisas and Diyat law, which allows the legal heirs of the victim to forgive the offender, have facilitated honour crimes going virtually unpunished.

“The state authorities cannot stand by and allow those responsible for honour killings to get away with murder,” Amnesty International said. “Any leniency shown to perpetrators of honour killings will only be seen as condoning their actions and as an incitement to further murders of women.”

“The government of Pakistan must send a clear signal that such gross human rights abuses will no longer be tolerated. As a first step, it should ensure that the perpetrators of this most recent honour killing are arrested and brought to justice, and guarantee the safety of all those involved in protecting women’s rights.”

“The government cannot hide behind the excuse of cultural norms and traditional practices violating women’s rights, as under international commitments Pakistan has made, for example when it ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women, it must seek to change such practices. ”

Specifically, Amnesty International calls for criminal charges to be brought against all those who issue threats, encourage others to harass, attack or kill human rights defenders or put a price on the murder of lawyers and human rights defenders. The government should also ensure that police and members of the judiciary are adequately trained in human rights law and do not let any cultural bias override the enforcement of fundamental rights. A review of the laws which make honour killings virtually punishment-free should also be undertaken.

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