

PAKISTAN

A Death in Custody

Yusef Jakhrani, a politician from Kandhkot in his early forties, died in military custody in Pano Aqil, Jacobabad district in Sindh, on 12 June 1992. He had reportedly endured six days of torture. A witness who saw his dead body stated:

"the whole body was covered with injuries, his neck was broken. His back appears to have been roasted and there was a burn and 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..."

Another person arrested at the same time as Jakhrani testified that he had heard Yusef Jakhrani being beaten and crying out when he had heard army personnel boast that they had killed him.

Yusef Jakhrani was a well-known Sindh political activist and a founding member of the Sindh National Alliance. He had previously been charged with treason along with other Sindh activists for raising the national flag.

Yusef Jakhrani was arrested from his home on 6 June 1992 by a group of security forces personnel which included members of the army, the paramilitary Mehran Force and police. Press reports quoted police sources stating that Jakhrani had been arrested on suspicion of harbouring bandits. However, according to Yusef Jakhrani's family, no search or arrest warrant was shown by the law enforcement personnel that detained Jakhrani. Yusef Jakhrani's father was told by local police that his son had been taken into army custody, but when he approached the army camp he was told that Jakhrani was not in their custody. He

was later informed by the authorities that his son had died in custody.

Yusef Jakhrani's father tried to get the police to register a murder complaint against army personnel but they refused. Following the police refusal to register a complaint, Yusef Jakhrani's father, with an advocate, pursued the case for six months until the High Court directed the police to register the First Information Report, the first record of a complaint by the police which starts the process of investigation and prosecution. Later the father lodged a petition in the High Court compelling that police were not investigating into his son's death. The family's lawyer told Amnesty International in late 1996 that the old man had given up the struggle as he did not believe that justice would ever be done. The Government of Pakistan had in October 1992 asked Amnesty International saying that the cause of death would be determined once the chemical analysis of Yusef Jakhrani's viscera had been completed. The results of the inquiry are still not known.

Please write letters:

- urging that the death in custody of Yusef Jakhrani be thoroughly and impartially investigated;

- calling for the findings of any inquiry be made public;
- urging that those responsible for the death of Yusef Jakhrani be brought to justice;
- making the point that the phenomenon of impunity is one of the main contributory factors for the continuing pattern of human rights violations in Pakistan as elsewhere in the world. To stop the high levels of human rights violations in Pakistan it is vital that those responsible are brought to justice and are punished according to internationally recognised standards.

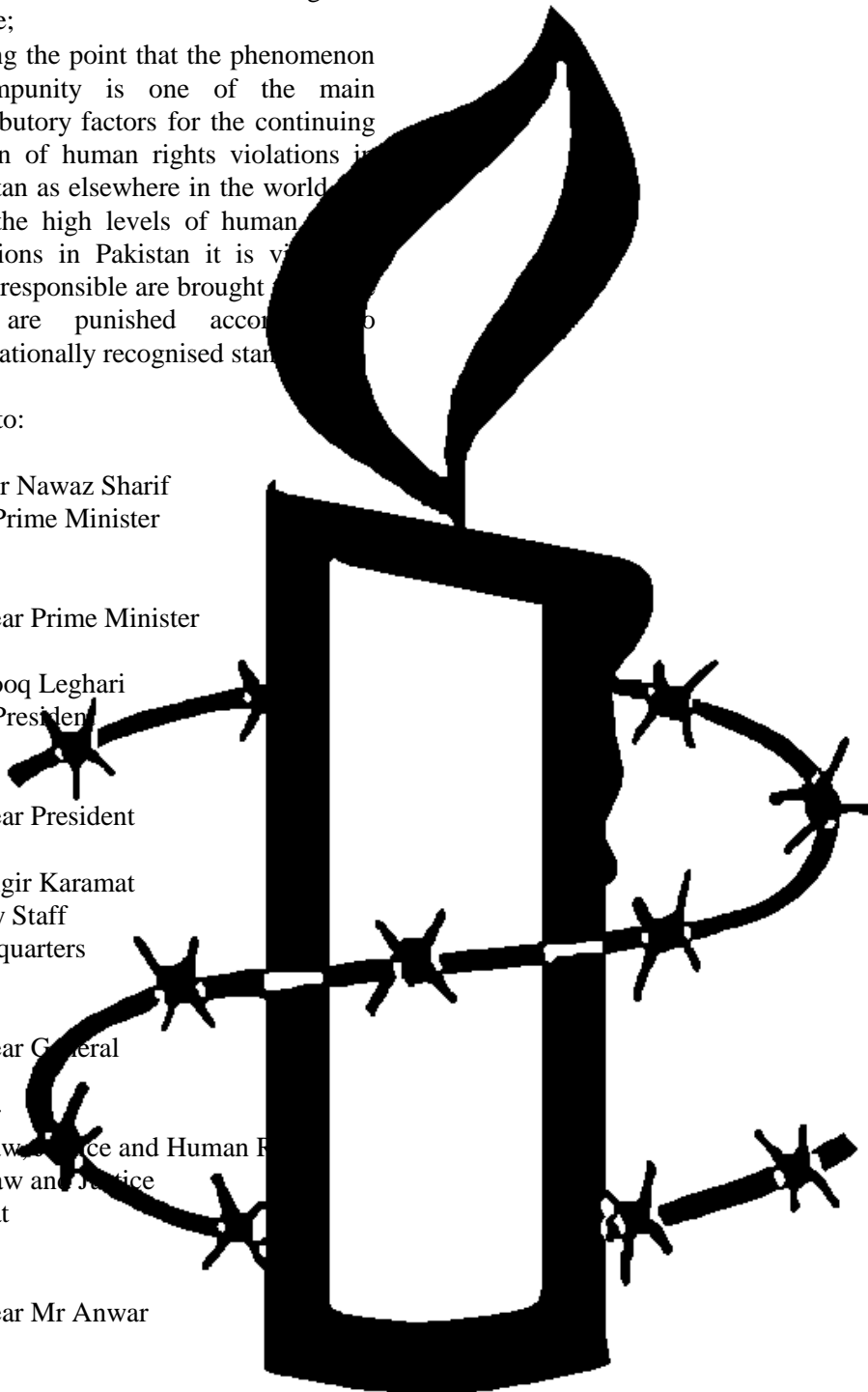
Send appeals to:

Prime Minister Nawaz Sharif
Office of the Prime Minister
Islamabad
Pakistan
Salutation: Dear Prime Minister

President Farooq Leghari
Office of the President
Islamabad
Pakistan
Salutation: Dear President

General Jehangir Karamat
Chief of Army Staff
General Headquarters
Rawalpindi
Pakistan
Salutation: Dear General

Khalid Anwar
Adviser on Law, Justice and Human Rights
Ministry of Law and Justice
Pak Secretariat
Islamabad
Pakistan
Salutation: Dear Mr Anwar



PAKISTAN

The "disappearance" of the Ansari family

Zamir Hasan Ansari, a retired section officer of the Pakistan ministry of foreign affairs, his wife Feroza Khanom and their two grown-up children, Riffat Anjum and Anjum Kamal "disappeared" from their home in Islamabad on 1 May 1996. Their whereabouts since that time remain unknown. The family are believed to have been detained by Pakistan's

military intelligence agency, the Inter Services Intelligence (ISI), because of Zamir Hassan Ansari's previous association with India - he was stationed in New Delhi between 1985 and 1990 whilst working for the Pakistan foreign service. In the context of

Zamir Hasan's second son, Tariq Hassan, who had been living in the United States when his family "disappeared" returned to Pakistan to look for them. Several people in

the long-standing rivalry between the governments of Pakistan and India, people in Pakistan with links to India are sometimes looked upon with suspicion by the authorities and some have been accused of espionage.

Friends of the Ansari family first became aware of their "disappearance" when the family failed to arrive for a dinner engagement at which they were expected on the evening of 1 May. After they had been missing for several days and it was established that they had not told anyone of an intention to leave Islamabad at that time, their "disappearance" was reported to the police. When police and relatives broke into the Ansari family home they found the house empty with almost everything in tact. No locks had been broken and there were no visible signs of a struggle. Some expensive items such as a video recorder had been taken, but openly displayed money and jewellery were not taken. However, it appeared as if the family had been disturbed during a meal as the remains of food lay on the table.

positions of authority unofficially acknowledged that his family had been taken into custody by the ISI. On 7 June Tariq Hasan filed a First Information Report with

the police claiming that his family had been abducted and a *habeas corpus* petition in the Lahore High Court in which he named the police and ISI as respondents. Despite numerous hearings of the petition, the fate or whereabouts of the Ansari family have not been established. Police and ISI named in the habeas corpus petition denied any knowledge of the family's whereabouts and investigating police have continued to report no progress in the case.

Following Tariq Hasan's efforts to establish what had happened to his family, he received threats from a number of officials that his own life and that of his family could be in danger because of the action he had taken. He was advised to keep a low profile. One police officer reportedly told Tariq Hasan that it was a mistake to contact Amnesty International about the "disappearance" of his family, as they could do nothing more than send appeals. The police officer told Tariq Hasan he would eventually be left on his own and in a worse situation than before.

Amnesty International has repeatedly expressed concern to the Government of Pakistan about the reported "disappearance" of the Ansari family and has appealed to the authorities many times to make known the family's whereabouts as a matter of urgency should they be detained by any agency of the state. The Human Rights Ministry of Pakistan responded to Amnesty International on 3 November 1996, saying that the "disappearance" of the Ansari family was a matter of grave concern to the Government of Pakistan. In the letter the Ministry reported making enquiries about the whereabouts of the family with the different security agencies in Pakistan, but without any success. The Ministry also said that the security agencies had been directed "to step up their efforts to locate the missing family".

Over the past few years, hundreds of political prisoners have been detained in Pakistan without any acknowledgement in official records, held in unauthorised places of

detention and denied communication with lawyers, family and medical staff. Prisoners have sometimes been held for weeks or months in undeclared detention by paramilitary forces before being transferred to custody of the regular police, when their detention has then been acknowledged. In other cases prisoners have been moved from one place of detention to another without relatives or lawyers being informed. In none of the cases known to Amnesty International have legal safeguards set down in Pakistan law been adhered to.

Please send letters in English or your own language:

- expressing concern for the safety of the Ansari family who "disappeared" from their home on 1 May 1996;
- calling on the authorities to reveal the whereabouts of the family as a matter of urgency; seeking assurances that whilst in detention they will not be subjected to torture or ill-treatment;
- urging that they be immediately and unconditionally released unless charged with a recognisably criminal offence, in which case they be given prompt access to a lawyer and relatives.

Please send appeals to:

Prime Minister Nawaz Sharif
Office of the Prime Minister
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Salutation: Dear Prime Minister

President Farooq Leghari
Office of the President
Murree Brewery Road
Rawalpindi
Pakistan
Salutation: Dear President

General Jehangir Karmat
 Chief of Army Staff
 General Headquarters
 Rawalpindi
 Pakistan

Salutation: Dear General

PAKISTAN

Extrajudicial Execution

Naeem Sherry, a 26-year-old MQM activist, had been in hiding for several months. The government had offered a large reward for his arrest or death. In March 1995, he visited a friend, Amjad Khalil Baig, in Karachi. Within minutes of arriving, police and paramilitary Rangers raided the house. During their search they found Naeem Sherry hiding behind a television cabinet and, according to eye-witnesses, shot him dead at point blank range. Amjad Baig was taken outside the house and, despite the pleas of his father and brother, was shot dead as well. A government spokesperson stated that police had acted in self-defence when Naeem Sherry opened fire. But no police were injured and several eye-witnesses refuted this version of events. The federal cabinet subsequently expressed its "satisfaction" about the killing of Naeem Sherry and said it "admired the courage of the law enforcement agencies" who killed him. The then Minister for Human Rights, Iqbal Haider, said:

"It will be most fortunate if the death of a ruthless terrorist is once again portrayed as an extra-judicial killing ... Such allegations only lend support to the terrorists."

Around a hundred extrajudicial executions, deliberate and arbitrary killing by court orders of state agents, are reported each year. Such reports come from all parts of the country, although in 1995 and 1996 the majority were in Karachi where they occurred in the context of a struggle between the government and armed opposition groups. President Farooq Leghari, in his order of dismissal of the government of Benazir Bhutto in November

1997, said: *"during the last three years, thousands of persons in Karachi and other parts of Pakistan have been deprived of their right to life in violation of Article 9 of the Constitution. They have been killed in police encounters and in custody.... The Government's fundamental duty to maintain law and order has to be performed by procedures in accordance with law."*

The violation of the government dismissal order was challenged by the Supreme Court of Pakistan in early 1997, yet no systematic investigation of extrajudicial executions in Karachi has been initiated. The accountability process begun by the caretaker government and continued under Prime Minister Nawaz Sharif focussed only on economic crimes and does not extend to bringing accountability for human rights violations.

Allegations of extrajudicial executions have usually been explained by the authorities as deaths in "encounters" between "terrorists" and law enforcement personnel firing in self-defence. The eye-witness accounts have often been contradictory. Relatives have in sworn affidavits stated that the victims had been arrested days earlier and died in the custody of security personnel, or that they had been shot dead at point blank range in front of their family members. The families' testimonies have not prompted investigations against the law enforcement personnel responsible for such killings.

Please send letters in English or your own language:

- Expressing concern about the killing of Naeem Sherri and Amjad Khalil Baig whom AI believes may have been extrajudicially executed by the police;
- Urging the authorities to institute a full and independent investigation of the killing of
- Urging the authorities to institute a systematic investigation into the killing of hundreds of people in police encounters in Karachi, to publish its findings and to bring all perpetrators to justice in prompt, fair and open trials;
- Calling on the government compensate the families of those who have been extrajudicially executed.

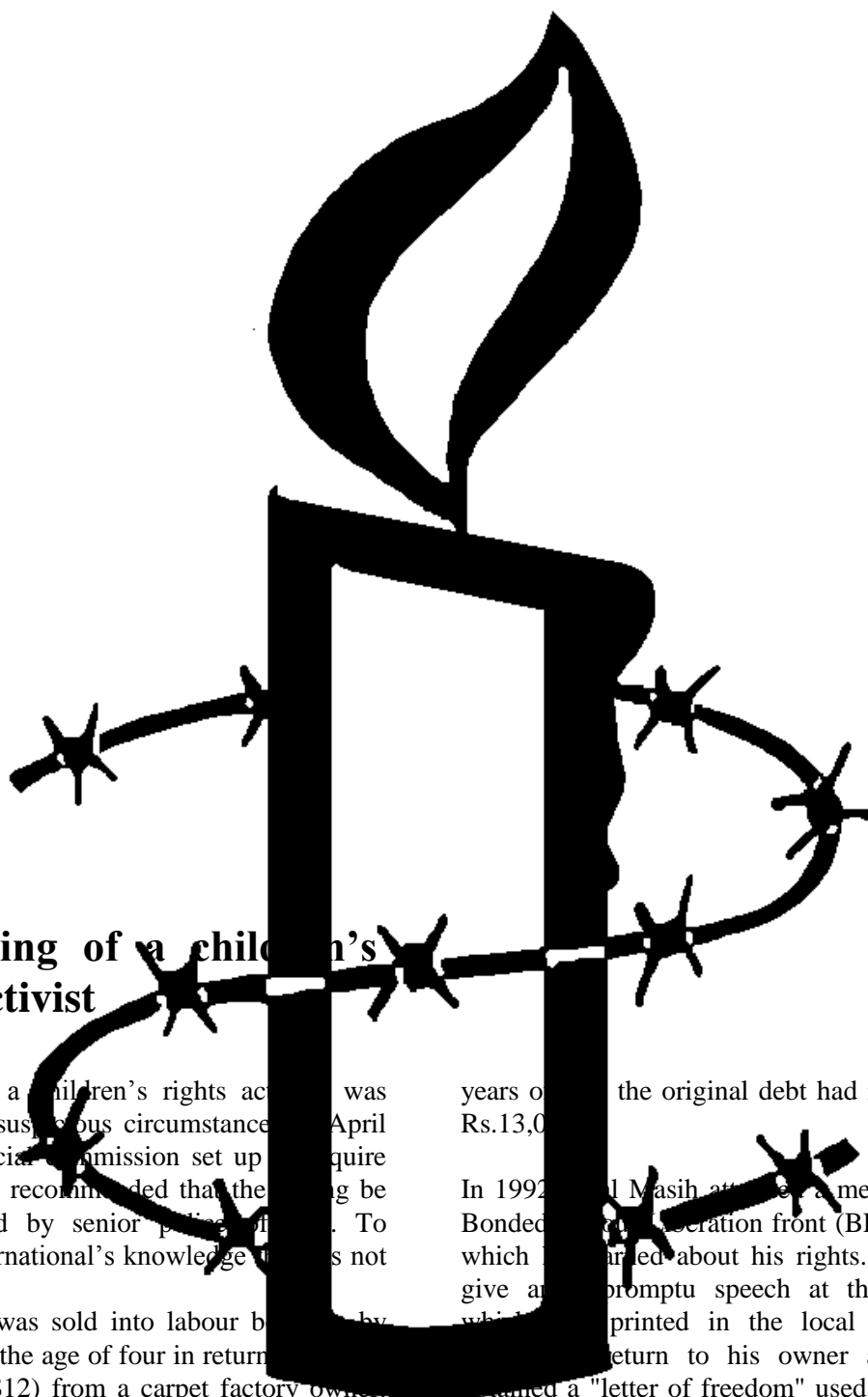
the two men and bring to justice those responsible for their deaths, if it is found - as eyewitness accounts indicate - that they were the victims of extrajudicial execution;

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The killing of a children's rights activist

Iqbal Masih, a children's rights activist, was murdered in suspicious circumstances in April 1995. A judicial commission set up to inquire into his death recommended that the case be re-investigated by senior police officers. To Amnesty International's knowledge, this has not taken place.

Iqbal Masih was sold into labour bondage by his parents at the age of four in return for Rs. 600 (\$12) from a carpet factory owner. His father needed the money to pay for his eldest son's wedding. To repay the loan, Iqbal Masih worked for over 12 hours every day in the carpet factory, often chained to the loom and beaten. Despite years of work, the debt increased due to the exorbitant interest rates charged. By the time Iqbal Masih reached 10

years old, the original debt had increased to Rs.13,000.

In 1992, Iqbal Masih attended a meeting of the Bonded Labour Liberation front (BLLF) during which he learned about his rights. He rose to give an impromptu speech at the gathering which was printed in the local papers. He obtained a "letter of freedom" used by a BLLF lawyer to confront the business owner that kept him in bondage.

With his new found freedom, Iqbal Masih was inspired to campaign for the rights and freedom of other young bonded labourers. He studied in a school for children freed from bonded labour

and began to speak in front of audiences to testify about the realities of the life of child bonded labourers. He encouraged child labourers to challenge their masters and insist on their rights.

In December 1994 Iqbal Masih was awarded the Reebok Youth in Action Award in December 1994. A representative of the Reebok Human Rights Program who met him at the time described him as a courageous child, mature beyond his years in spite of his small malnourished body. However, the publicity surrounding Iqbal Masih's human rights work may have antagonised members of the carpet industry whose business is estimated to rely on more than half a million child labourers.

A local villager reportedly confessed to the shooting initially, but later denied it. He was tried and acquitted. Consequently Iqbal Masih's murder remains unsolved. A judicial inquiry set up mid-1995 produced an unpublished report which recommended that the killing be re-investigated by senior police officers. To Amnesty International's knowledge this has not taken place.

Please write letters:

- expressing concern at the killing of Iqbal Masih;
- urging that the government carry out a full, impartial and independent investigation of the killing as recommended by the judicial inquiry;
- urging that the inquiry results be made public;
- calling on the authorities to take preventative measures to guarantee the safety of children and others campaigning against bonded labour.

Please send appeals to:

**Prime Minister Nawaz Sharif
Office of the Prime Minister
Islamabad
Pakistan
Salutation: Dear Prime Minister**

**President Farooq Leghari
Office of the President
Murree Brewery Road**

Iqbal Masih was shot dead in his home town of Muridke, Punjab whilst out cycling on 16 April 1995. Local human rights activists believe that his death may have been the work of those sectors opposed to Iqbal's activism. According to the BLLF, Iqbal Masih had repeatedly received death threats in connection with his activities in the months leading up to his murder. The suspicious circumstances surrounding his shooting fit a pattern of collusion between powerful business families, political groups and local police authorities that has resulted in other such threats or killings.

**Rawalpindi
Pakistan
Salutation: Dear President**

**Syeda Abida Hussain
Minister of Population Welfare
Ministry of Population Welfare
Pak Secretariat
Islamabad
Pakistan
Salutation: Dear Minister**

Prisoners of Conscience charged with religious offences

Riaz Ahmad Choudhry, his son, and his two nephews have been detained in prison since November 1993 after being charged with 'posing' as Muslims and blasphemy. They face the death penalty if convicted. The four men were taken into custody on the basis of a complaint that they had claimed that the founder of their religion had worked miracles and that they had, "said something derogatory".

Their alleged statements were deemed an offence under section 295-C of the Pakistan Penal Code which relates to blasphemy, a criminal offence for which the

mandatory punishment is the death penalty.

Riaz Ahmed Choudhry and his family are members of the Ahmadiyya community, a religious group whose members regard themselves as Muslim, but who are considered heretical by orthodox Muslims. Ahmadis have frequently been charged with religious offences, including blasphemy, solely on account of their religious beliefs. Hostility towards them is sometimes enhanced by economic or professional rivalry. Observers believe that the people who accused

the four men of blasphemy in fact wanted to take over Riaz' position as village headman of Piplan.

A bail application on behalf of the four men was rejected by the sessions court and the Lahore High Court. It has been pending since 1994 in the Supreme Court of Pakistan. Their trial has not yet begun.

Amnesty International considers that the four men are prisoners of conscience.

Please write letters:

- calling for the immediate and unconditional release of the four men;
- urging that the charges against them be dropped;
- calling for the introduction of legislative measures to curb the abuse of the blasphemy laws as a first step towards their abolition.

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