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Pakistan: New anti-terrorist legislation sets dangerous precedent for next 50 years

The Pakistan Government's adoption of a new anti-terrorism act yesterday -- which gives the police sweeping powers to abuse human rights with impunity -- does not set a good precedent for the next 50 years, Amnesty International said today as Pakistan celebrates half a century of independence.

"We acknowledge the Pakistan Government's need to urgently respond to deteriorating law and order in the provinces of Punjab and Sindh. However, by introducing this act, the government has merely removed some of the most basic fundamental rights of Pakistani citizens and has effectively facilitated unfair trials," the human rights organization said.

The act has given the police a new licence to violate human rights. It authorises the police and army to fire on anyone "*committing, or believed to be about to commit, a 'terrorist' offence*". It also provides them with powers to arrest suspects and to search premises without a warrant. Placing the interpretation on what is justifiable use of lethal force entirely in the hands of law enforcement personnel is, in the Pakistan context, an incitement to the security forces to commit unlawful killings.

"The government has itself admitted that the security forces in the past have been responsible for thousands of extrajudicial executions. So far no serious measures have been taken to ensure that these violations will not happen again. How can the government therefore justify giving the security forces even more power?" Amnesty International said.

The act removes many safeguards guaranteeing the fundamental rights of Pakistani citizens. Once it becomes law individuals will no longer have protection against arbitrary arrest, detention, and ill-treatment.

The act also facilitates the possibility of unfair trial, a concern which has already been raised by judicial bodies in Pakistan. It re-establishes special courts for speedy trial where people charged with terrorist offences can be convicted and sentenced to death within seven days.

When Special Courts for Speedy Trial were previously in existence, Amnesty International repeatedly voiced its concern that the procedures of these courts did not ensure a fair trial, and in some cases time limits imposed on length of hearings denied prisoners the right to a full defence. The setting up of special courts whose procedures differ significantly from those of the regular courts violates the internationally recognised right to be tried by ordinary courts or tribunals using established legal procedures.

"We believe that restoring law and order in Punjab and Sindh will only be achieved by meticulously adhering to existing legal provisions which safeguard the fundamental rights of the citizen's of Pakistan," Amnesty International said. "The organization urgently appeals to the President of Pakistan not to sign this new act into law."

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