

"Assault on the Legal Profession No Answer to the Threat of Terrorism"

Human Rights First Condemns Pakistan's State of Emergency

Pakistani President and Chief of the Armed Forces, General Pervez Musharraf, announced the imposition of a state of emergency on November 3. With immediate effect, the President suspended the Pakistani Constitution, dismissed the Chief Justice of the Supreme Court, Iftikhar Chaudhry, and placed him and other members of the Supreme Court under house arrest when they refused to support the move, and announced stringent new restrictions on the media.

Among the reported 1,500 members of the opposition, judiciary and military targeted for arrest and detention, are several leading lawyers imprisoned under 30 day preventive detention orders. The detainees include the President of the Supreme Court Bar Association, Aitzaz Ahsan and two former presidents, Muneer Malik and Tariq Mahmoud. Other leading lawyers, including heads of bar associations, have gone into hiding to avoid detention.

Many other public figures, including political leaders and activists have been placed under house arrest, among them the prominent lawyer and human rights activist, Asma Jahangir, who is a previous recipient of the Human Rights First Human Rights Award and the Martin Ennals Award for Human Rights Defenders. Her detention order described her activities as "prejudicial to public safety and maintenance of public order" and cited "credible information that you will deliver inflammatory speeches for instigating the general public."

Executive Director of Human Rights First, Maureen Byrnes, commented: "An assault on the legal profession and on non-violent critics in the media is no answer to the threat of terrorism and extremism in Pakistan or anywhere else. President Musharraf should immediately restore the basic rights and freedoms upheld in the Constitution, reinstate the Supreme Court and release from detention and house arrest all those subject to detention orders since the declaration of the state of emergency."

President Musharraf's declaration of emergency powers contained many overt criticisms of the judiciary, accusing judges of "overstepping limits of judicial authority." The announcement came at a time when the Supreme Court was about to rule on the legality of President's Musharraf's re-election last month, when he stood while also serving as the head of Pakistan's armed forces. It was widely predicted that the court's ruling would go against the President, who had tried to remove the Chief Justice from office earlier this year. At that time, widespread protests led by the Pakistani legal profession resulted in the Chief Justice remaining in office.

President Musharraf justified his action by describing it as a necessary measure against instability and the mounting threat of terrorism. In a statement from Lahore, Asma Jahangir commented: "Those he has arrested are progressive, secular minded people while the terrorists are offered negotiations and ceasefires."

"Arresting lawyers and judges will make Pakistan's crisis worse," said Byrnes. "Pakistan needs an immediate return to the rule of law, not an attack on the independence of the judiciary."