

Pakistan

On December 27, 2007, Benazir Bhutto was assassinated as she left a political rally in Rawalpindi. The killing of the leading political opposition figure in the country further deepened Pakistan's political crisis and led to the postponement of parliamentary elections, originally scheduled for January 8, to February 18, 2008. President Musharraf blamed militants acting on behalf of al-Qaeda for the killing. Initially inconsistent statements from officials about the circumstances of Bhutto's death and a decision to hose down the assassination site within hours after the attack led to accusations of a government cover-up and fueled speculations of intelligence agency complicity in the killing.

At this writing, there was little prospect for free and fair elections, with ongoing media censorship, disruption of opposition party activities, and allegations of bias among election officials and pre-poll rigging in favor of Musharraf-backed candidates. With Supreme Court justices and other senior judges still not reinstated, there is no independent forum in which aggrieved individuals can raise complaints of vote fraud and intimidation.

General Pervez Musharraf's military-backed government, in office since a 1999 *coup d'état*, declared a state of emergency on November 3, 2007, suspending the constitution and dismissing two-thirds of the country's senior judges including the chief justice of the Supreme Court, Iftikhar Muhammad Chaudhry. A swift crackdown followed, with Pakistani authorities arresting thousands of lawyers, judges, and opposition activists and violently suppressing peaceful protests.

Prominent human rights defenders were among those detained or placed under house arrest, including the chairperson of the independent Human Rights Commission of Pakistan and a UN Special Rapporteur, Asma Jahangir. Some of those detained were questioned by Pakistan's feared Inter-Services Intelligence (ISI) agency and Military Intelligence (MI) agency, known for using torture against

opponents of the government. With the declaration of martial law, Musharraf imposed sweeping censorship rules on the media, closing down private television channels and international media agencies.

Following the suspension of the constitution, Musharraf issued a series of decrees that muzzle the media, allow the military to detain, charge, and try any civilian, and allow courts to revoke lawyers' licenses to practice law. The constitution was then amended so that these and other such measures will remain "legal" even after the constitution is restored.

On November 28, Musharraf retired as army chief and the following day he took the oath of office as president under the suspended constitution for a five-year term. Though Musharraf claims to be transitioning to civilian rule, his election was widely regarded as illegal and the country remains effectively under military control.

Ongoing concerns at this writing include arbitrary detention, lack of fair trials, mistreatment, torture, and enforced disappearances of terrorism suspects and political opponents; harassment, intimidation, and censorship of the media; increasing unrest amid military operations in the tribal areas bordering Afghanistan; and legal discrimination and mistreatment of religious minorities.

Judicial Independence Undermined

2007 saw a movement for judicial independence borne out of the events of March 9, when General Musharraf first tried to dismiss Supreme Court Chief Justice Iftikhar Muhammad Chaudhry for alleged "misuse of office." Justice Chaudhry refused to resign, triggering nation-wide protests against Musharraf. Authorities violently suppressed the movement, led by Pakistani lawyers, to restore the chief justice, beating lawyers, opposition activists, and media personnel covering unfolding events. On May 12, 42 people died in violence led by activists of the Mutahedda Qaumi Movement (MQM), a major coalition partner in the Musharraf government, trying to stop Chaudhry from entering Karachi to address the Sindh High Court Bar Association. In the face of relentless country-wide protests, Musharraf backed down temporarily and the Supreme Court restored the chief justice to office on July 20.

In November the Supreme Court was due to decide on the legality of Musharraf's presidential election which had occurred in October. However, the court never ruled because of the imposition of the state of emergency on November 3. Attempts by Supreme Court judges to bar the government from proclaiming emergency rule and urging government officials not to implement emergency orders were thwarted as the judges were summarily fired and detained. Justice Chaudhry was dismissed and placed under house arrest along with his family, including a seven-year-old son and a teenage daughter. Overall, almost two-thirds of 97 senior judges declined to accept emergency rule and were dismissed, many placed in detention or under house arrest. They were replaced by Musharraf loyalists and, on November 19, a "puppet" Supreme Court quickly dismissed the legal challenges to Musharraf's reelection as president.

On November 10, Musharraf issued a presidential decree allowing military trials of civilians for certain offences previously under the purview of the judiciary. The amendments were made retroactive to January 1, 2003, effectively sanctioning impunity of the army for detention and "disappearances" of civilians since that time. Until the sacking of most of its judges, the Supreme Court had been investigating some 400 cases of "disappearances" of Musharraf's political opponents and terrorism suspects.

Opposition Leaders Return

Two exiled opposition leaders, Benazir Bhutto and Nawaz Sharif, returned to Pakistan in 2007. Under pressure from the US, Benazir Bhutto, a former prime minister, was allowed to return to Pakistan unhindered on October 18. Bhutto's welcoming procession was targeted by suicide bombers killing 139 people and injuring several hundreds. Bhutto and her husband have claimed that members of the government and elements within the security services may have been complicit in the attack.

On November 25, Nawaz Sharif, another former prime minister, was finally allowed to return to Pakistan. Earlier, on September 10, Pakistan and Saudi Arabia had flouted international law by forcibly transferring Sharif into exile in Saudi Arabia as he attempted to end seven years of exile by returning to Pakistan. The Pakistani

government's actions were in direct contravention of a Supreme Court ruling that Sharif had an inalienable right to enter and remain in the country.

Thousands of political activists from the parties headed by Bhutto and Sharif, as well as smaller political groups, have been arrested in order to prevent post-emergency protests. Bhutto herself has been intermittently placed under house arrest to prevent her from leading demonstrations in the aftermath of the crackdown on lawyers and activists.

Freedom of Expression

Concerted and increasing attempts by the Pakistani government to muzzle the media continued throughout 2007. Journalists faced persistent pressure and threats from the government to tone down their coverage of the anti-government protests. Media offices were physically attacked and closely monitored by the security forces. Reporters working for local, regional, national, and international media faced torture, kidnapping, illegal detention, beatings, and coercion.

On March 16, riot police attacked the Islamabad offices of the Jang Group, which houses the newspapers *Jang*, *The News*, and Geo TV. Police broke into the offices, damaging property and terrorizing journalists while the media attempted to cover an anti-government protest underway outside.

On May 22, the Mohajir Rabita Council (MRC), an affiliate of the MQM, issued a statement naming 12 eminent Pakistani journalists as "enemies." On May 29, journalists working for the Associated Press (AP) and the Agence France-Presse (AFP) wire services found identical envelopes, each containing a 30mm bullet, planted in their cars. Two of these journalists were named in the MRC statement. The MQM has a long record of political harassment, extortion, torture, and targeted killings, but Musharraf took no action in response, failing even to press the MQM to discipline its affiliate and ensure that such threats cease.

Throughout the year, several privately-run TV channels, including Aaj TV, ARY, and Geo TV, reported their transmissions were taken off air by cable operators because they were transmitting footage of violence by state authorities.

Since the November imposition of martial law, Musharraf has imposed sweeping curbs on the media through two presidential decrees and hundreds of journalists have been threatened, beaten, attacked, and detained. Some international journalists were expelled and many private and international television stations were removed from the air for several weeks. They were restored after they accepted government restrictions including bans on journalists and programming deemed objectionable by the government. Country-wide protests against curbs on the media have been violently suppressed on multiple occasions.

Unrest in Balochistan

Political unrest in the southwestern province of Balochistan continued in 2007. Though the dispute in Balochistan is essentially political, centered on issues of provincial autonomy and exploitation of mineral resources, the Pakistani military and Baloch tribal militants have increasingly sought a military solution to their disagreements. The Pakistani military has arbitrarily detained, tortured, and “disappeared” militants and political opponents; Baloch militants have continued to target civilians and use landmines in sporadic retaliatory attacks.

Counterterrorism

Serious violations of human rights continue to accompany Pakistan’s large-scale counterterrorism operations. Terrorism suspects are frequently detained without charge or, if charged, are often convicted without proper judicial process. Human Rights Watch has documented scores of illegal detentions, instances of torture, and “disappearances” in Pakistan’s major cities. Counterterrorism laws also continue to be misused to perpetuate personal vendettas and as instruments of political coercion.

It is impossible to ascertain the number of people “disappeared” in counterterrorism operations because of the secrecy surrounding such operations. Until the imposition of the state of emergency, the Supreme Court—investigating 400 cases of enforced disappearances—had been maintaining pressure on the government, publicly stating that it had overwhelming evidence that Pakistan’s intelligence agencies were detaining terror suspects and other opponents and repeatedly urging the authorities

to free such individuals or process them through the legal system. In response to pressure from the Supreme Court, scores of those who “disappeared” were freed or charged, and some foreign or dual citizens were deported to their countries of origin.

Torture and ill-treatment of such individuals in custody remains a serious concern. Rangzieb Ahmed, a British citizen of Pakistani origin was held in illegal custody for over a year during which time he alleges he was severely tortured by Pakistani intelligence agents. He was deported to the UK in September after Pakistan’s Supreme Court ordered his release. The British government failed to intervene to prevent the torture though they admit having access to Ahmed during his incarceration. Ahmed was arrested at London’s Heathrow airport upon arrival.

A peace agreement between the government, tribal leaders, and militants closely allied with the Taliban signed in September 2006, collapsed within months. As a result, the Pakistan Army continues to engage in aggressive counterterrorism operations in Pakistan’s Federally Administered Tribal Areas along the Afghan border, with efforts particularly focused on the Waziristan region. Hundreds of Pakistani troops are being held hostage by pro-Taliban militants. In October 2007 Pakistani authorities launched a major offensive in north Waziristan. Reports indicate the offensive has been accompanied by civilian displacement, extrajudicial executions, house demolitions, arbitrary detentions, and harassment of journalists.

Armed groups in Pakistan’s tribal areas continue to engage in vigilantism and violent attacks, including murder and public beheadings. Selective military operations aside, the government has done little to apprehend, let alone prosecute, Taliban and militant leaders guilty of committing serious human rights abuses across the border in Afghanistan, and increasingly in Pakistan.

Throughout November 2007 Taliban attacks and operations spread into settled areas of the North West Frontier Province. Battles during this month between pro-Taliban militants and security forces in the Swat valley saw hundreds killed and thousands of civilians displaced.

Gender and Religious Discrimination

Legal discrimination and persecution on grounds of gender and religion continued in 2007. As in previous years, violence against women and girls, including “honor killings,” rape, domestic violence, and forced marriages, remained serious problems. According to the Human Rights Commission of Pakistan, honor killings continued to rise in 2007 and growing extremism posed new threats to women’s rights.

The Ahmadi religious community was a particularly frequent target of religious discrimination in 2007. Numerous blasphemy cases were registered against its members and scores were arrested.

Key International Actors

The US, UK, and EU all issued statements urging Musharraf to end the state of emergency, release those arrested, and hold free and fair elections. However, their actions did not match their words. At this writing, all three were continuing to prop up Musharraf with substantial military and economic assistance.

The Bush administration continues to provide significant political support to Musharraf. The United States has notably failed to press strongly for human rights improvements in the country or for the release and restoration to office of ousted Supreme Court Chief Justice Iftikhar Muhammad Chaudhry and other judges. As in previous years, the US muted its criticism in exchange for Pakistan's support in counterterrorism operations.

However, in a largely symbolic gesture, on November 20 Pakistan was suspended from the Commonwealth in response to Musharraf’s actions. The suspension is expected to remain in force until the restoration of some form of constitutional rule.

Pakistan still has not signed the International Covenant on Civil and Political Rights or ratified the International Covenant on Economic, Social and Cultural Rights. Pakistan has played a negative role as a member of the UN Human Rights Council and has fought to prevent scrutiny and criticism of Organization of Islamic Conference (OIC) states.