



Foundation Day of the Endangered Lawyer



Lawyers' Rights Watch Canada

Adana, Amsterdam, Ankara, Athens, Barcelona, Berlin, Brussels, Dhaka, Dusseldorf, Frankfurt, Geneva, The Hague, Hamburg, Islamabad, Istanbul, Izmir, Lahore, London, Lyon, Madrid, Manila, Milan, Montpellier, Multan, Nantes, New York, Nuremberg, Paris, Rawalpindi, Rome, Sydney, Toronto, Vancouver, Venice, Yaoundé,

10th DAY OF THE ENDANGERED LAWYER

24th January 2020 - PAKISTAN:

A struggle to protect the lawyers from Pakistan

Petition

The DAY OF THE ENDANGERED LAWYER is commemorated each year on 24 January.

On that Day, 24 January 1977 four trade union lawyers and an employee were murdered in their office in Madrid, Spain, simply for doing their job. One of the killers, who was affiliated with extreme right-wing parties and organizations, was sentenced to 15 years in prison, another fled to Brazil and the third one ended up in jail in Bolivia for drug smuggling.

Next year, on January 24, 2020, we will commemorate the 10th anniversary of the Day of the Endangered Lawyer.

In past years, the Day has focused on the following countries: China, Colombia, Egypt, Honduras, Iran, The Philippines, Spain/Basque Country, Turkey.

On that special day, the organizers ask their international colleagues to 1) raise awareness about the number of lawyers who are being harassed, silenced, pressured, threatened, persecuted, tortured and murdered for their work as lawyers; and 2) initiate, or further develop a national discussion about ways to protect lawyers.

2020: DAY OF THE ENDANGERED LAWYER IN PAKISTAN

Over the past decades, lawyers in Pakistan have been subjected to acts of mass terrorism, murder, attempted murder, assaults, (death) threats, contempt proceedings, harassment and intimidation, as well as judicial harassment and torture in detention, merely for engaging in their professional duties as lawyers. Their families also have been targeted, and some have even been murdered. Some lawyers have also been threatened with disbarment and/or had their homes and offices raided by the police.

The most notorious attack on lawyers in Pakistan occurred on August 8, 2016, when terrorists attacked the Government Hospital of Quetta with a suicide bombing and shooting which resulted in the death of 56 lawyers.

The alleged perpetrators of attacks against lawyers have been terrorists, religious zealots, the police and unreported sources. There also have been reports that pro-government militias (which still exist today) have been behind some of the murders. The threats are multiple.

The situation of Christian lawyers or members of minority Muslim groups is also of great concern. In some cases, lawyers have been killed for belonging to the Shi'ite religion that is the Muslim minority in Pakistan.

Moreover, in many cases, lawyers have been identified with their clients and their clients' causes, and they have been violently attacked for their representation. For example, it is well-known that an accusation of blasphemy commonly exposes the accused, as well as lawyers who represent them and judges who adjudicate their cases, to harassment, threats, physical attacks and rioting. Many people accused of blasphemy in Pakistan have been murdered before their trials were concluded, and prominent figures who opposed the blasphemy law have been assassinated. In fact, since 1990, 62 people have been murdered following blasphemy allegations.

Lawyers, too, have been subject to retribution simply because they represented those accused of blasphemy. According to a basic tenet of the Basic Principles on the Role of Lawyers, lawyers should not be identified with their clients and/or their clients' causes.

However, the Taliban and other religious terrorist groups still have a serious presence in many parts of Pakistan and still carry out frequent attacks, and, lawyers from Pakistan face a constant threat of targeted violence, including murder, simply because they represent clients accused of blasphemy.

In response to all these repeated attacks, Pakistani lawyers frequently strike, demonstrate, protest and hold boycotts.

Killings and murderous attacks on lawyers in Pakistan between 2014 and 2019

The cases mentioned below have been documented by lawyers from Pakistan, the International Association of People's Lawyers (IAPL), Lawyers' Rights Watch Canada (LRWC), and the European Bar Human Rights Institute (IDHAE).

2014: Rashid Rehman Khan, a regional coordinator for the Human Rights Commission of Pakistan, was shot dead by gunmen (May 7). On December 3, several gunmen on motorcycles attacked the Multan residence of Shahbaz Gormani, a lawyer defending a university lecturer against blasphemy charges.

2015: Irfan Chauhan and Rana Khalid Abbas were shot dead by the police during a protest in the city of Daska, province of Punjab, on 25 May. Another lawyer, Zohaib Sahi, was seriously wounded in the same incident.

2016: Out of the 280 practising lawyers 56 were killed and 92 were injured in Quetta (capital of Balochistan) in a terrorist attack at the same time. Consequently, a large part of the Balochistan Bar was simply eliminated. This is still a black day for the legal profession in and outside Pakistan.

2017: Rauf Ahmad Thaur Sheikhpura (October 9), Alia Shenzadi Sheikhpura (May 16), Saleem Latif Nakana Sahib (March 30), and Mohammad Jan Gigyani (March 4) were all murdered.

2018: Pervez Akhtar (February 7), Muhammad Idress (February 5), Zainullah Khan (March 30), Sanam Sikandar Umrani (aka Waqar Umrani May 31), Zamin Khan (June 6), Haroon Bilour (August 13), Yasir Zikyria (August 15) and Syed Azan Kundi (December 24) were all murdered. Pervez Akhtar Cheema was shot dead in his car on his way to a hearing in Sheikhpura (February 7), Rizvam, severely attacked because he was defending an accused of blasphemy (February 9) Rana Ishtiaq and Owais Talib killed during a hearing at the Lahore courthouse (February 20).

2019: Naizmeen Shah (January 8), Naila Amjad (January 11), Asif Hussain (March 1), Chaudhary Ghazanfar Ali Warraich (May 31), Malik Dilawar Hussain (July 17), Mahr Muhammad Yasin Sahu adv Multan (May 3), Muhammad Adnan Othi, Chaudhary Shahid Meo, Muammad Tahir Aslam (June 3), were all murdered. Murderous attack was perpetrated on Mahr Ghulam Noul (July 13), Syed Noor Ahmad Shah adv and nine others in TBA Arifwala (June 20), and Basharat Hundal adv of Rahim Yar Khan (July 16).

The case of Saif-ul-Malook

Saif-ul-Malook was targeted with death threats after he obtained an acquittal on appeal of his client Asia Bibi, who had been on death row since 2010 after her conviction for blasphemy. Malook was forced to seek protection from European governments and returned to Pakistan despite the risks and threats of practicing his profession. Chief Justice Mian Saqib Nisar, Justice Asif Saeed Khosa and Justice Mazhar Alam Khan, the judges who overturned Asia Bibi's conviction for blasphemy, were also threatened with death.

Requests, demands and recommendations to the Government and the Parliament of Pakistan

We respectfully request that the Pakistani Government, and the Parliament:

- 1) Ensure that lawyers are free to carry out their professional duties in safety and without fear of reprisals or attacks as required by the UN Basic Principles on the Role of Lawyers.
- 2) Prevent and ensure protection of lawyers from all kinds of attacks or harassment; guarantee prompt and effective investigation of all attacks committed against lawyers, and ensure independent prosecution and fair trial for the alleged perpetrators.
- 3) Adopt all necessary measures to promote religious tolerance, including measures to prevent and punish vigilantism against individuals accused of blasphemy or targeted for following a specific religious beliefs, as well as the lawyers who represent such individuals.
- 4) Immediately repeal the provisions of the Pakistan Penal Code regarding blasphemy, withdraw all pending charges for blasphemy, and release any detainee being accused or sentenced for this offence.
- 5) To do everything in its power to restore the freedom of all human rights lawyers and human rights defenders who are detained for their activities in the defence of human rights and withdraw all charges relating to this work.

Requests, demands and recommendations to other governments and organisations

- 6) To provide temporary or if necessary permanent protection to endangered Pakistani lawyers when such lawyers are within their sovereign jurisdictions.
- 7) We call on the European Union and its Member States and on other governments and international organisations to use their relations with Pakistan to strengthen the protection of lawyers and human rights defenders in accordance with Pakistan's international obligations.
- 8) We urge lawyers, bar associations, law societies and NGOs to issue messages of support and solidarity with our Pakistani colleagues as soon as possible. Messages can be sent to the Pakistan Bar Council (the national lawyers association) at info@pakistanbarcouncil.org. The Council's website is <http://pakistanbarcouncil.org>.

The Coalition for the Endangered Lawyers:

On June 13, 2019, in the international lawyers meeting in Brussels, a new network was formed, called “the Coalition for the Endangered Lawyer” with the goal to further intensify cooperation for endangered colleagues.

The coalition is formed by the following 28 lawyer organizations and bar associations:

Foundation Day of the Endangered Lawyer

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ELDH, European Association of Lawyers for Democracy & Human Rights

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IAPL, International Association of Peoples Lawyers

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IDHAE, Institut des Droits de l’Homme des Avocats Européens

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Lawyers for Lawyers

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IDHBB, Institut des Droits de l’Homme du Barreau de Bordeaux

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CCBE, Council of Bars and Law Societies of Europe - Conseil des Barreaux Européens

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UIA - International Association of Lawyers

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LRWC, Lawyers' Rights Watch Canada

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Barreau de Paris

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Observatoire International des Avocats

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FBE - Fédération des Barreaux d'Europe

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ASF, Avocats Sans Frontières Belgique

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ASF - International network

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ASF - Cameroon

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Avvocati Minacciati - Osservatorio dell'Unione delle Camere Penali Italiane

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Institut des droits de l'homme Bruxelles

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Avocats.be - L'Ordre des Barreaux francophones et germanophone de Belgique

Contact: Xavier van Gils

CIB, Conférence Internationale des Barreaux

Orde van Vlaamse Balies

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DSF-AS - Défense Sans Frontière-Avocats Solidaires

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IDHBP: Institut de formation en Droits de l'Homme du Barreau de Paris

Contact: Christophe Pettiti - cpettiti@idhae.org

Rechtsanwaltskammer Berlin (Berlin Bar Association)

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IADL – International Association of Democratic Lawyers

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Haldane Society of Socialist Lawyers

Contact: Bill Bowring - b.bowring@bbk.ac.uk

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Fédération des Barreaux d'Europe



AED –EDL



ASF



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