

Pakistan: A human rights activist faces terrorism charges for publicising the murder of Christians, while the mullahs who encouraged the violence remain free

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PAKISTAN: A human rights activist faces terrorism charges for publicising the murder of Christians, while the mullahs who encouraged the violence remain free

ASIAN HUMAN RIGHTS COMMISSION - URGENT APPEALS PROGRAMME

Urgent Appeal Case: AHRC-UAC-097-2009

13 August 2009

PAKISTAN: A human rights activist faces terrorism charges for publicising the murder of Christians, while the mullahs who encouraged the violence remain free

ISSUES: Murder; minority groups; police negligence

Dear friends,

The Asian Human Rights Commission (AHRC) has received information that an activist working for the Human Rights Commission of Pakistan (HRCP) and the Labour Party of Pakistan, has been arrested and remanded on charges of terrorism and disturbing the peace. The charges disproportionately refer to demonstrations he helped organise against the burning murders of a number of Christians and the burning of their houses by Muslim extremists. Police have not arrested those who incited the violence by using the loudspeakers of mosques, which is illegal in Pakistan.

CASE DETAILS:

Mr. Tariq Mehmood (24) and his friends and colleagues were the first to arrive at the site of the attack in Korian village (Tehsil Gojra, Punjab) on July 31, where six Christians, two of them women, had been set alight and murdered that day. A number of houses had also been set on fire. Mehmood was the first to spread the news among media and human rights organisations in the area. However the following day the community was attacked again by a few hundred-strong crowd of Muslims, most, according to eyewitnesses, from the banned sectarian group Sipah-e-Sahaba (SSP). The police

officers there allegedly did nothing to diffuse the situation or stop the attacks and witnesses have reported two more deaths and a number of rapes. Also disturbing are reports that more than 30 girls from the community have been missing since the attack.

Later that day Mehmood joined a team of activists to gather information at the site, and he issued a press release on behalf of the Labour Party, also proposing that a 'black day' of protest be held on 11 August. Mehmood also helped journalists from out of town and was present when community members, Muslim and Christian, blocked the town's train services with some of the corpses. (The crowd demanded legal action against the District Police Office and District Coordination Officer for their failure to protect, and these were finally filed. A Lahore High Court judge is investigating the case).

However on 10 August we are told that Mehmood was informally asked to meet and 'talk' with the Deputy Superintendent of Police (DSP), Mr. Ahmed Javed, in the Toba Tek Singh district, and was asked to call off the Black Day protest. He refused. He was sent to Gojra police station under arrest. The charges – under the Article 7 of the Anti Terrorist Act and article 13 of Maintenance of Public Order Ordinance and article 152 of the Criminal Procedure Code among others – refer to his party press release as 'pamphlets'.

In a Faisalabad Anti Terrorist Court session, police asked that Mehmood be physically remanded (placing him in their custody and at risk of torture) but the judge instead ordered judicial remand at Toba Tek Singh jail. These charges against Mehmood should not be taken lightly; they can be met with a death sentence.

ADDITIONAL COMMENTS:

Inquiries by various human rights organisations strongly indicate that the attacks and murders were pre-planned, and they are accusing the local administration of extreme negligence.

The SSP members arrived on private buses organised from nearby villages, armed with home-made bombs. As a banned Muslim militant organisation, the SSP seems have had little restrictions placed upon its actions by the police in recent times; media and rights groups are linking this to the support the SSP has given the provincial government, lead by the Sharif brothers, in the past.

Though it is illegal for the loud speakers in mosques to be used for anything other than Friday sermons in Arabic and the call to prayer, we have received reports that certain mosques broadcast comments and accusations against Christians in that area for two days; some of them within hearing range of police stations. Up to 64 rioters have been arrested, but the mullahs responsible for inciting the violence allegedly remain at large; therefore one of the biggest roots of the sectarian violence in Pakistan – misconduct by its religions leaders – remains unaddressed.

The Anti-terrorist Act has instead been used against a human rights defender on the basis of a press release he wrote criticizing the violence. The Asian Human Rights Commission would like to highlight the absurdity of applying the acts below to the rights defender and not the inciters of the violence.

Anti Terrorist Act, Article 7:

'Prohibition of acts intended or likely to stir up sectarian hatred.

- -A person who—(a) uses threatening, abusive or insulting words or behaviors, or
- (b) displays, publishes or distributes any written material which is threatening, abusive or insulting;
- or
- (c) distributes or shows or plays a recording of visual images or sounds recording of visual images or

sounds which are threatening, abusive or insulting; or

(d) has in his possession written material or a recording or visual images or sounds which are threatening, abusive or insulting with a view to their being displayed or published by himself or another.'

'Whoever commits a terrorist act shall---

(1) if such act has resulted in the death of any person be punished with death; and

(ii) in any other case be punishable with imprisonment for a term which shall not be less than seven years but may extend to life imprisonment, and shall also be liable to fine.'

Maintenance of Public Order Ordinance, article 13:

'Whoever contravenes any provision of this Ordinance or disobeys or neglects to comply with any order made or direction given in accordance with its provisions shall, where no express provision is made by this Ordinance for the punishment of such contravention, disobedience, or negligence, be punished with imprisonment which may extend to three years, or with fine, or with both.'

SUGGESTED ACTION:

Please write to the authorities listed below, demanding the withdrawal of terrorism charges against Tariq Mehmood and an investigation into how such charges were able to be filed. Please also demand the arrest of those who used loud speakers to incite sectarian murder.

Please be informed that the AHRC is writing a letter to the UN Special Rapporteurs on human rights defenders and on contemporary forms of racism, racial discriminations, xenophobia and related intolerance requesting their intervention in this case.

To support this urgent appeal please click here:

SAMPLE LETTER:

Dear _____

RE: PAKISTAN: A human rights activist faces terrorism charges for publicising the murder of Christians, while the mullahs who incited the violence remain free

Name of the Victim: Mr. Tariq Mehmood, son of Mohammad Tufail Ansari.
Resident of village Basti Danishmandan,
Chak no. 264, G-B, Toba Tek Singh district. Punjab

Names of the perpetrators:

1. Mr. Ahmed Javed, Deputy Superintendent of Police (DSP), Toba Tek Singh district.
2. Station Head Officer (SHO), Toba Tek police station, Punjab
3. District Police Officer (DCO), Toba Tek district, Punjab

Place of incident: Toba Tek police station, Punjab

Date of incident: 10 August 2009

I am writing to register my deep concern regarding the arrest of Tariq Mehmood, an activist

working for the Human Rights Commission of Pakistan (HRCP) and the Labour Party of Pakistan, on charges of terrorism and disturbing the peace. The charges disproportionately refer to demonstrations he helped arrange after the burning murders of a number of Christians, and the burning of their houses by Muslim extremists. Police have not arrested those who incited the violence using the loudspeakers of mosques, which is illegal in Pakistan.

According to the information I have received Mehmood joined a team of activists to gather information at the site of the attacks, and issued a press release on behalf of his Labour party. He also announced an upcoming 'black day' for 11 August to protest against the murders and the lack of protection arranged for the Christian victims.

On 10 August I am told that he was informally asked to meet and 'talk' with the deputy superintendent of police (DSP), Mr. Ahmed Javed, in the Toba Tek Singh district. Mehmood reportedly was asked and refused to call off the upcoming Black Day protest and was sent to Gojra police station under arrest. The charges - under article 7 of the Anti Terrorist Act, article 13 of Maintenance of Public Order Ordinance and article 152 of the Criminal Procedure Code among others - refer to his party press release as 'pamphlets'.

In a Faisalabad Anti Terrorist court session, police asked that Mehmood be physically remanded (placing him in their custody and I believe, at risk of abuse) but the judge fortunately ordered judicial remand at Toba Tek Singh jail.

Though it is illegal for the loud speakers in mosques to be used for anything other than Friday sermons in Arabic and the call to prayer, we have received reports that certain mosques broadcast comments and accusations against Christians in that area for two days; some of them within hearing range of police stations.

Though up to 64 rioters have been arrested, the mullahs responsible for inciting the violence allegedly remain at large; therefore one of the biggest roots of the sectarian violence in Pakistan - misconduct by its religious leaders - remains unaddressed.

The Anti-terrorist Act has been used against a human rights defender on the basis of a press release he wrote criticizing the violence, yet absurdly, not against the inciters of wide scale sectarian violence.

I urge that you take serious note of the murders in Gojra, and inquire into the lack of protection afforded the Christians who died there. Inquiries by various human rights organisations strongly indicate that the attacks and murders were pre-planned.

I also request that you investigate and drop the charges of terrorism used improperly and illogically against Tariq Mehmood, and investigate how such charges were able to be filed.

I demand that those who used mosque loud speakers to incite sectarian murder be investigated and brought before the law.

I look forward to your action in these matters.

Yours sincerely,

PLEASE SEND YOUR LETTERS TO:

1. Mr. Syed Yousaf Raza Gillani
Prime Minister
Prime Minister House
Islamabad
PAKISTAN
Fax: +92 51 922 1596
Tel: +92 51 920 6111
E-mail: secretary.cabinet.gov.pk

2. Minister for Interior
R Block Pak Secretariat
Islamabad
PAKISTAN
Tel: +92 51 9212026
Fax: +92 51 9202624
E-mail: ministry.interior@gmail.com or interior.complaintcell@gmail.com

3. Mr. Mian Shahbaz Sharif
Chief Minister of Punjab
H-180 Model Town
Lahore
PAKISTAN
Fax: +92 42 5881383

4. Minister of Law
Government of Punjab
Punjab Secretariat
Ravi Road
Lahore
PAKISTAN
E-mail: law.punjab.gov.pk

5. Chief Secretary of Government of Punjab
Punjab Secretariat
Lahore
PAKISTAN
Fax: +92 42 7324489
E-mail: chiefsecy.punjab.gov.pk

6. Mr. Salman Taseer
Governor of Punjab
Governor House
Mall Road
Lahore
PAKISTAN

7. Dr. Faqir Hussain
Registrar
Supreme Court of Pakistan
Constitution Avenue

Islamabad
PAKISTAN
Fax: + 92 51 9213452
E-mail: mail supremecourt.gov.pk

8. Mr.Syed Mumtaz Alam Gillani
Federal Minister for Human Rights
Ministry of Human Rights
Old US Aid building
Ata Turk Avenue
G-5, Islamabad
PAKISTAN
Fax: +9251-9204108
Email: sarfaraz_yousuf yahoo.com

Thank you.

Urgent Appeals Programme
Asian Human Rights Commission (ua ahrchk.org)
