

Pakistan: Free Judges Held Under House Arrest

US Should Suspend Ties Until Musharraf Changes Course

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(New York, November 22, 2007) – The Pakistani government should immediately release Chief Justice Iftikhar Mohammad Chaudhry, his family and other deposed Supreme Court judges held under house arrest since November 3, Human Rights Watch said today.

It's disgraceful that Musharraf is punishing Chief Justice Chaudhry, who challenged his power-grab, by keeping the judge's family under house arrest.

Brad Adams, Asia director at Human Rights Watch

Chaudhry and his family have not been allowed out of their home in Islamabad's Judges' Colony, where senior judges are provided state housing, since the evening of November 3, 2007, when he was summarily dismissed from his post by General Pervez Musharraf. In addition to Chaudhry, five Supreme Court judges remain confined to the Judges' Colony. At least another five Supreme Court judges are under house arrest in the central city of Lahore.

"It's disgraceful that Musharraf is punishing Chief Justice Chaudhry, who challenged his power-grab, by keeping the judge's family under house arrest," said Brad Adams, Asia director at Human Rights Watch. "Musharraf should end his ugly vendetta against the judges and free Chaudhry, his family and the other judges immediately."

Chaudhry's family, including a teenage daughter and a seven-year-old son, remains confined with him. The judge has managed to communicate with the outside world intermittently by mobile telephones smuggled into his home, but the government has repeatedly used signal jamming equipment and other means to disable these telephone lines. Chaudhry has not had access to television or newspapers since November 3.

On November 20, the Pakistani government had said that the judges were no longer under house arrest. Brigadier (retired) Javed Cheema, a spokesperson for Pakistan's Interior Ministry, told the media on November 20 that the "judges are free to go from their homes, they are free to move. Those who are staying back ... are staying of their own accord."

However, judges who remain in the Judges' Colony told Human Rights Watch that they were still forcibly confined, and that the government was not telling the truth. Justice Rana Bhagwandas told Human Rights Watch that while he and four other judges under house arrest were allowed to move about within the compound, the chief justice and his family remained prisoners in their home. Bhagwandas also told Human Rights Watch that when he and a colleague attempted to visit the chief justice on the morning of November 21, they were prevented by security personnel and that the security detail around Chaudhry had been increased. When Chaudhry tried to step out of his house earlier on the morning of November 21, dozens of extra security personnel surrounded his house and ringed it with barbed wire. Justice Bhagwandas added that when he attempted to walk out of the Judges' Colony, he had also been prevented by security personnel.

Justice Khalilur Rehman Ramday, one of the judges under house arrest in Lahore, told Human Rights Watch that when he asked his captors if he was free to leave, a colonel from the Pakistani military's Inter-Services Intelligence (ISI) agency responded: "We have no orders to release you."

Human Rights Watch also calls for the release of Athar Minallah, an opposition lawyer who has acted as a conduit between the outside world and Chaudhry since his detention. On the afternoon of November 21, Minallah was arrested by six plainclothes security personnel, who refused to identify what law-enforcement agency they belonged to, as he attempted to visit Chaudhry. Minallah is being held at Adiala Jail in the neighboring city of Rawalpindi, on indeterminate charges.

"Minallah is being persecuted for communicating on behalf of Chaudhry and keeping his plight in the public eye," said Adams. "He's a Supreme Court lawyer, not a criminal. He should be released now - like thousands of others arrested for no good reason."

Human Rights Watch urged the international community, particularly the United States in its capacity as Musharraf's chief backer, to demand the immediate release and restoration to office of all detained judges including Chaudhry. Human Rights Watch reiterated its call (<http://hrw.org/english/docs/2007/11/04/pakist17241.htm>) for the United States and the United Kingdom to impose comprehensive sanctions on all military and economic aid, with the exception of humanitarian aid, unless Musharraf moves immediately to rescind the Provisional Constitutional Order (PCO), restore the judiciary, end the state of emergency, remove restrictions on the media and release all political detainees held since November 3.

"President Bush says that Musharraf hasn't 'crossed the line' in his lack of commitment to democracy, but the Pakistani ruler keeps locking up his critics, including Chief Justice Chaudhry," said Adams. "Rather than making ridiculous statements that signal no consequences for Musharraf's dictatorial moves, Washington should suspend further dealings with him and the army until he releases these judges, restores them to office, and reverses the state of emergency."