

Pictures for reflection: Pakistan

Torture of lawyers



Mr Munir Malik (far left in photo), former President of the Supreme Court Bar Association and one of the lawyers defending suspended Chief Justice Iftikhar Choudhry, is at present seriously ill at an Islamabad hospital. He was reportedly poisoned and beaten while in detention from 3-22 November 2007. His kidneys have failed, and according to his family, doctors have suggested that he be taken abroad for treatment. Security officers stationed at the hospital however, claim that Malik is still under detention.

Malik was first arrested on 3 November 2007, during protests at the imposition of emergency rule in the country, together with many thousands of lawyers and judges, some of whom were subsequently beaten and tortured in custody. More than 70 judges of Pakistan's higher judiciary—including the Chief Justice and other judges of the Supreme Court—were kept under house arrest. Their houses were cordoned off by heavy contingencies of armed policemen and military personnel; houses were bugged and their families were denied access to essential medicines. Videos of the private lives of some judges had shamelessly been produced and used to bribe them into taking an oath on the provisional constitutional order of President Musharraf.

After his arrest Malik was taken to the Adiala Jail in Rawalpindi, where he was severely beaten, and two days later was shifted to the Attock Jail in the north western frontier province, infamous for its torture of detainees.

Malik had been detained incommunicado for a week while being held at the Attock Jail. His cell measured four feet in width, and five feet in height, making it nearly impossible for him to move comfortably. He was briefly allowed out once a day. During the day his detention cell was completely dark, while a powerful light bulb was switched on at night, making it extremely difficult for him to sleep. He was not allowed any visitors to ascertain his condition after arrest, including his family.

In fact, the superintendent of the Attock jail told Malik that he was the first victim of Chief Justice Choudhry, and that revenge would be taken against all those who had worked to restore the ousted Chief Justice.

Only after Malik's urine started to emit traces of blood was he taken to a government hospital for treatment. Despite having not recovered fully, he was again taken back to the Attock Jail after a few days in hospital.

On November 22, Malik was taken to the PIMS hospital (Pakistan Institute of Science Management) in Islamabad, but his condition has since worsened. This time, he was admitted to the hospital's Intensive Care Institute (ICU) after the physicians examining him discovered the severity of his condition; both his kidneys and liver are no longer functioning properly, requiring him to undergo dialysis.

When Malik regained consciousness he told his physicians that after he was taken back to prison from the hospital earlier, the jail authorities had forced him to drink some liquid—he was told it was juice. Malik suspected that his food and drink may have been poisoned. He had also been deprived of regular medication. His condition continues to deteriorate.

While government officials have claimed that Malik has been released from detention following pressure by the legal community, security forces attached to the government's anti-terrorist squad have not been removed from the hospital.

The Asian Human Rights Commission (AHRC) issued a statement on November 20 with the names of over 500 lawyers and judges who have been detained, tortured or put under house arrest following the imposition of the state of emergency. The strength and commitment of these persons was already noted during the heroic protests against the illegal suspension of the Chief Justice. At that time the lawyers publicly announced that they would not bow down to the 'intimidating tactics of the government' and were ready to sacrifice their lives for the independence of the judiciary. This action indicated the high level of discontent in the country, especially within the legal community. It also highlighted the courage of the legal professionals in Pakistan, who risked everything to defend the integrity of their institutions and professional credibility, in the interests of the entire public. They earned their victory when the Supreme Court ruled that the suspension of the Chief Justice by the president was illegal.

The struggle of the people in Pakistan continues today, to ensure that genuine democracy and rule of law is established in their country. This struggle is manifest in the individual incidents of courage and commitment undertaken by persons such as Iftekhar Choudhry, Munir Malik and their fellow lawyers, judges and citizens.