



JANUARY 24th 2020

INTERNATIONAL DAY OF THE ENDANGERED LAWYER

DEDICATED TO
PAKISTANI LAWYERS

10th
edition



INTERNATIONAL
OBSERVATORY
FOR LAWYERS

What's the Observatory? The International Observatory of Endangered Lawyers (OIAD) is an initiative of the French National Council of Bar Associations (France), the Paris Bar (France), the Consejo General de la Abogacía Española (Spain) and the Consiglio Nazionale Forense (Italy).

Launched in 2015, the Observatory aims to protect lawyers who are threatened as a result of their professional practice, as well as to denounce situations that violate the rights of the defence. It aims to articulate itself in the landscape of protection mechanisms geared towards lawyers in general and human rights lawyers in particular, complementing existing mechanisms and working closely with established networks.

The situation of lawyers in Pakistan

This year's International Day of the Endangered Lawyer focuses on Pakistan, where lawyers are constantly targeted, threatened, murdered and where the practice of the profession is particularly difficult.

This targeted violence against lawyers not only reflects the general state of violence in Pakistan, in particular against human rights defenders, but also reflects a **systematic strategy of killing all judicial actors suspected of blasphemy because of their profession and their fight for their independence and for the protection of the Rule of Law.**

The Quetta attacks

The city of Quetta became a symbol of violence against lawyers on February 17th 2007, when for the first time, a terrorist was blown up in a courtroom, killing 16 people, including a judge and six lawyers.

Then, on August 8th 2016, a bomb decimated the bar by killing 70 lawyers gathered outside the city hospital after the murder of their President a few hours earlier. In total, some 150 of Baluchistan's 280 lawyers were killed or wounded on the 8th of August in Quetta.





Threats against Pakistani lawyers

Threats linked to the terrorism cases

Terrorism cases will very often generate risks for the lawyers who handle them. They will become the target of threats from the authorities as **they question the way in which the Pakistani state fights terrorism.**

Prosecutors will also be threatened in such cases, but unlike lawyers, persecution will come from terrorist organizations against which they are prosecuting.

Threats due to minority status

Ahmadism is a minority current of Islam that considers that there is another Prophet and thus challenges the very foundations of Islam for Sunnis and Shiites. Ahmadism was declared "non-Muslim" by the Pakistani Parliament in 1974.

As soon as a lawyer defends a person belonging to this Ahmadi minority, **he becomes almost simultaneously a target of persecution**, and even more if he/she himself/herself is a member of this minority.

Threats based on the charge of blasphemy

Pakistan's anti-blame law is one of the toughest in the world, since it automatically punishes the insult to the Prophet Mohammed with the death penalty. These laws introduced in 1986 into the Pakistani Criminal Code (articles 295 B, 295 C, 298 A, 298 B, 298 C) have the effect of severely restricting freedom of religion and expression.

Lawyers defending persons accused of blasphemy are generally threatened with violence by groups and individuals who want to do justice themselves. **The lawyer is then assimilated to the person for whom he/she is in charge of the defence.** Pressure from the street and religious leaders is exerted at all levels of the judicial system. **Lawyers, judges, police or prosecutors are under intense pressure and live in fear of reprisals.** Thus, finding a lawyer who agrees to defend this type of case is a particularly difficult task.

The case of lawyer Saif ul-Malook

Saif ul-Malook defended the Christian Pakistani woman, Asia Bibi, in Pakistani courts from 2010 and saved her from being hanged for blasphemy.



He fled to the Netherlands in November 2018 after violent protests against the Pakistani Supreme Court's decision to overturn Bibi's death sentence in 2010. He returned to Islamabad on 26th of January 2019 to defend her as she faced a final appeal from the Supreme Court's decision. The final appeal was rejected at the end of January 2019. Bibi, who had been in preventive detention until then, was finally allowed to leave Pakistan and arrived in Canada on May 8th 2019.

"Street Justice"

In the case that the prosecuted persons are acquitted and released, **they are generally subjected to death threats and risk being victims of « street justice ».**

The Centre for Research and Security Studies based in Islamabad, counts more than 65 people lynched to death or murdered since 1990, including judges and lawyers for being suspected of blasphemy or defending persons accused of blasphemy.

The case of lawyer Rashid Rehman

This case is a perfect illustration of the spiral of violence in Pakistan. Human rights expert Rashid Rehman is one of the few lawyers who had the courage to defend persons accused of blasphemy in court.

On May 8th 2014, he was killed in his office by two unidentified armed men. The next day, law firms in the city received a leaflet saying that Rashid Rehman had been killed.

Muhammad Jan Gigyani, Amir Haider Shah, Ashfaq Qaimkhani, Saleem Latif, Jacqueline Sultan, Rana Ishtiaq, Owais Talib are lawyers killed and/or threatened among many others, for their political commitment, their religion or because of their involvement in « sensitive » cases.