

Pakistan: Stop harassment, arbitrary arrests and disappearances of human rights defenders

(Bangkok/Kathmandu, 10 August 2017): The Asian Forum for Human Rights and Development (FORUM-ASIA) and its member Bytes for All, Pakistan express grave concern over the recent cases of systematic harassment, arrests and serial abductions of human rights defenders (HRDs) by security forces in Pakistan. HRDs in Pakistan are operating in increasingly precarious conditions. They are combating Government backed pressure tactics and unsafe work environment, fostered by general absence of the rule of law and shrinking space for dissent within the Pakistani socio-political setting. Physical and online harassment together with arbitrary detention over online expression has become a continuous repressive measure against dissenting voices in Pakistan.

On 8 August, Partab Shivani, an activist and HRD in Thar, writer Naseer Kumbhar and a political leader of Jeay Sindh Qaumi Mahaz (JSQM) Mohammad Umer¹ were allegedly abducted by law-enforcement agencies. They were released in the late hours of 9 August².

Earlier, on 5 August, family members of the self-exiled separatist leader of the banned Jeay Sindh Muttahida Mahaz (JSMM), Shafi Burfat, were abducted from their residence. On 3 August, about a dozen men in police uniform picked up Punhal Sario, the leader of the recently formed Voice for Missing Persons of Sindh from Hyderabad. These individuals are still missing and none of them were produced in any court of law³.

Since January 2017, with abduction of four bloggers, a trend of enforced disappearances has emerged with complete impunity, increasing a climate of fear and self-censorship especially online. Earlier this year, the Interior Ministry ordered the Cybercrime Wing of Federal Investigation Authority (FIA) to take immediate action against any person found maligning the Pakistani Army on social media, resulting in an organised movement by law enforcement agencies to stifle any kind of online expression by way of harassing and arbitrarily detaining numerous HRDs.

On 25 June, a journalist of Daily Qudrat, Zafar Achakzai was arrested by armed men from his house in Quetta. On 29 June, he was handed over to the FIA and charged under the Pakistan Electronic Crimes Act (PECA) for allegedly posting 'illegal material' on Facebook.

Earlier, on 18 May, the Pakistan Bureau Chief for WION News, Taha Siddiqui was summoned for interrogation at the FIA's Counter-Terrorism Wing. On 23 May, the Islamabad High Court instructed the FIA not to harass Siddiqui. Despite this court order, the FIA again served a notice demanding Siddiqui's reappearance before the FIA's Counter-terrorism Wing on 26 May.⁴

1 <https://www.dawn.com/news/1350358/sindh-abductions-three-more-activists-go-missing-from-thar>

2 <https://www.dawn.com/news/1350577>

3 <https://www.frontlinedefenders.org/en/case/missing-persons-campaigner-punhal-sario-abducted>

4 <https://tribune.com.pk/story/1419634/fia-serves-notice-journalist-despite-ihc-orders-alleged-harassment/>

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Since 25 May, the Prevention of Electronic Crimes Act (PECA), empowered with several censorship and surveillance enabling laws, has undermined political expression on multiple occasions using a variety of tactics.

Ever since the FIA has been ordered to carry out this investigation, its cybercrime wing allegedly has been digitally surveilling the individuals, scrutinising Facebook accounts, WhatsApp groups, blogs and websites conjectured to be carrying any 'objectionable' content, especially that of anti-army material. The FIA publically shared a list that included journalists and social media activists as 'potential suspects'.⁵ FORUM-ASIA and Bytes for All, Pakistan fear that they are likely to be interrogated, harassed or detained over unverified suspected anti-army posts on social media. Around 40 people have already been questioned by the FIA while their laptops, phones and tablets were confiscated for forensic assessment.⁶

The PECA empowers the authorities to censor any anti-government, anti-military or dissenting religious views on account of vague and broad definitions of offences prescribing disproportionate harsh punishments. It also enables arrests without any judicial supervision thereby spreading a chilling effect on free expression, association and assembly in the country.

FORUM ASIA and Bytes for All, Pakistan condemn the arbitrary use of the Prevention of Electronic Crimes Act to silence dissent in the country and urges the Government of Pakistan to enable an environment wherein intellectual diversity and political discourse can flourish, keeping in line with values of international human rights standard and democratic values.

FORUM-ASIA and Bytes for All, Pakistan further urge the Government of Pakistan to formulate open, transparent and unambiguous policies regarding conditions and procedures of arrests under the PECA that proscribe any arrests made in attempt to quell dissent and free expression in the country. The Government of Pakistan must implement the normative human rights standard of freedom of expression in pursuance of Pakistan's International obligations and its own Constitution.

About FORUM-ASIA:

FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratization.

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5 <https://en.dailypakistan.com.pk/headline/200-social-media-activists-face-fia-action-over-anti-army-posts/>

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