

TOPICS FOR PANEL DISCUSSION

1. The judiciary is the most weakened of Pakistan's institutions, yet sufficiently robust to have sparked the most recent transition in Pakistan from a military to a civilian democratic regime. Why does the judiciary find itself in this current situation—struggling with lack of independence and not enjoying the confidence of the public?
2. One of the most commonly cited explanations for the judiciary's lack of independence is the institutional legacy of four military regimes in Pakistan. What role has the military had in shaping the present-day culture of governance, with particular reference to the integrity and independence of the judiciary?
3. Over the past several years, lawyers in Pakistan have been subjected to acts of mass terrorism, murder, attempted murder, assault (death threats), contempt proceedings, harassment and intimidation in the execution of their professional duties. They have been arrested, detained, tortured and in some cases their families have also been harassed.

What are the most important factors explaining why lawyers find themselves in such a precarious situation? Panelists will probably bring up 3 factors: Blasphemy and honour killing cases; religious extremism, and terrorism.

4. Pakistan has one of the strictest anti-blasphemy laws in the world. According to the Center for Social Justice, between 1987 and 2017, 1500 people were charged with blasphemy and at least 75 people involved in accusations of blasphemy were killed. Lawyers defending cases of blasphemy are at even higher risk of being persecuted as we heard from Beena Sarwar and from lawyer Saif-ul-Malook. Can you explain to our audience why blasphemy is such a hot-button issue in Pakistan?
5. Lawyers are also endangered in Pakistan due to constant threats from ISIS and Pakistani militant organization Tehrik-e-Taliban as we saw in the killing of Bilal Anwar Kasi, president of the Balochistan Bar Association in 2016. What are these religious militant groups hoping to achieve through these targeted killings and how can lawyers be protected from these attacks?

6. Lawyers defending cases of karo kari (honor killings) in Pakistan, also find themselves targeted. On the one hand it is important to discuss why the judicial system is so heavily riddled with gender disparities in the prosecution of these cases. But secondly, why is there so much resistance against eliminating this archaic practice and how are the lawyers implicated?

7. To what extent have lawyers contributed to the challenges facing the Rule of Law in Pakistan? According to the New York Times: “in recent years, lawyers in Pakistan have not shied from resorting to violence and taking the law into their hands. Lawyers have attacked judges over disagreements during court hearings. Clashes with police are frequent.” (<https://www.nytimes.com/2019/12/12/world/asia/pakistan-lahore-lawyers-attack.html>)

8. In order to bring this discussion to its conclusion can each of you shed some light on the role that Canadian lawyers and paralegals might play in supporting their colleagues in Pakistan?