

# Lawyers' Rights Watch Canada

*NGO in Special Consultative Status with the Economic and Social Council of the United Nations*  
Promoting human rights by protecting those who defend them

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Wednesday, March 14, 2018

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Dear President, Prime Minister and Chief Minister,

**RE: Murders of lawyers Muhammad Idrees and Pervez Akhtar: Urgent need to ensure the safety of lawyers in Pakistan.**

Lawyers' Rights Watch Canada (LRWC) is a committee of lawyers and other human rights defenders who promote international human rights, the rule of law, and the integrity of legal systems through advocacy, education and legal research. LRWC is a volunteer-run NGO in Special Consultative Status with the Economic and Social Council of the United Nations.

LRWC is alarmed by the brutal killings of lawyer Muhammad Idrees on 5 February 2018 in South Waziristan and lawyer Pervez Akhtar on 7 February 2018 in Sheikhpura Pakistan.

Murders of these lawyers days apart in separate parts of Pakistan signal an urgent need for concrete measures by the Government of Pakistan to comply with its international law obligations to protect the personal and professional safety of lawyers by putting in place and maintaining effective measures to protect the right to life of lawyers and to punish violations. By failing to do so, the Government of Pakistan not only contravenes its international law duties to protect the right to life but also undermines the right to legal representation for all people in Pakistan.

**Muhammad Idrees and Pervez Akhtar murdered: Urgent need to ensure the safety of lawyers in Pakistan**

LRWC is alarmed at the number of lawyers murdered in Pakistan. In the majority of the murder cases to which LRWC has responded, investigations have apparently failed to identify suspects, resulting in impunity for perpetrators and a heightened likelihood of recurrence. In spite of the gravity of the situation, the Government of Pakistan has not, to the knowledge of LRWC, introduced reforms to provide effective protective measures for lawyers at risk or to ensure the investigations and remediation required by international human rights law.

#### **Murder of lawyer Muhammad Idrees:**

On 5 February 2018 Muhammad Idrees was shot and killed by persons identified as Taliban militants while at his father's shop with his brother who was also injured. Reports state that the young lawyer, Muhammad Idrees had earlier been in an argument over a vehicle accident with the Taliban, who later approached his father's shop in Nizam Bazar, opened fire on and killed Mr. Idrees and then escaped. Protest and violence erupted in the area in response to murder. No one has been arrested in the killing.

#### **Murder of lawyer Pervez Akhtar:**

On 7 February 2018, lawyer Pervez Akhtar left his home in Rachna Town and was on his way to court by car when two unknown assailants on a motorcycle opened fire on him and fled. Mr. Akhtar was rushed to a hospital in Lahore where he was pronounced dead upon arrival. Lawyers responded by going on strike, demanding accountability for the perpetrators and security for lawyers. No arrests have been made to the knowledge of LRWC.

LRWC has written numerous times to the Government of Pakistan regarding the murder of lawyers calling on Pakistan to comply with its international law obligations to investigate and remedy the murders and to ensure that victims are identified thorough, competent and effective investigations and prosecuted. LRWC has received no response to any of these letters. LRWC has also called on to the Government of Pakistan to take immediate action in implementing measure to protect jurists, to ensure their security and prevent any further attacks and loss of life for those in the legal profession. LRWC has also recommended that the Government of Pakistan begin working on the development and implementation of a national law based on the Model Law for the Recognition and Protection of Human Rights Defenders.

#### **Murder of Rashid Rehman Khan:**

Prominent human rights lawyer Rashid Rehman Khan was murdered on 7 May 2014. LRWC called on the Government of Pakistan repeatedly (letters dated: 15 May 2014, 6 March 2015, 25 October 2016) to investigate, remedy the murder of Mr. Khan and has urged Pakistan to create an independent Commission of Inquiry to conduct and conclude an effective investigation of the murder, the death threats made prior to the murder and the failure of Pakistan authorities to provide protection to Rashid Rehman Khan. Almost 4 years have passed and there has been no arrest made in Mr. Khan's murder

#### **Murder of Bilal Anwar Kasi & 70 others in Sandeman Civil Hospital Attack:**

On 12 October 2016 and again on 9 December 2017 LRWC sent letters regarding the 8 August 2016 killing of lawyer Bilal Anwar Kasi and of the 70 mourners, most of whom were lawyers later that day in the Sandeman Civil Hospital bombing. No arrests have been made to the knowledge of LRWC.

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## **Murder of Mohammad Jan Gigyani:**

On 15 March 2017 LRWC wrote regarding the targeted shooting of human rights lawyer Mohammad Jan Gigyani. On 4 March 2017, Mohammad Jan Gigyani, a senior lawyer and leader of the secular Qaumi Watan Party (QWP), was driving to the court in Shahbqadar with his nephew Rahim Shah and two other lawyers when unknown gunmen opened fire on his vehicle, killing Mr. Gigyani and injuring his nephew. No arrests have been made to the knowledge of LRWC.

## **Murder of Saleem Latif and Jamaat-e-Ahmadi**

On 1 May 2017 LRWC wrote a letter regarding the 30 March 2017 killing of Saleem Latif, lawyer and local community leader of Jamaat -e- Ahmadi, who was gunned down while traveling to court by motorbike in Nakana Sahib near Sheikhpura. He was with his son Malik Farhan, also a lawyer, who luckily escaped the attack unharmed. Saleem Latif was the cousin of Abdul Salam, a Pakistani Nobel laureate. No arrests have been made to the knowledge of LRWC.

## **Conclusion:**

Pakistan has a legal obligation stemming from domestic and international human rights law to ensure that in every instance of unlawful deprivation of life, such as those mentioned above, timely, independent and effective investigation are carried out followed by the prosecution and trails and punishment in accordance with law of the suspect(s) identified in the investigations.

Pakistan as a member of the United Nations has an obligation to protect the right to life guaranteed by the *Universal Declaration of Human Rights* (UDHR) and the *International Covenant on Civil and Political Rights* (ICCPR). On 16 October 2017, Pakistan was elected to the United Nations Human Right Council. As a member of Council, Pakistan has agreed, and is mandatorily obliged to “uphold the highest standards in the promotion and protection of human rights.”

LRWC calls on the Government of Pakistan:

1. Immediately carry out thorough, competent, impartial and effective investigation of the murders of Muhammad Idrees, Pervez Akhtar and all other lawyers mentioned above that comply with the UDHR, ICCPR, UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;<sup>1</sup> and, the Model Protocol for a Legal Investigation of Extra-Legal, Arbitrary and Summary Executions;<sup>2</sup>
2. Ensure prosecution and trails of the suspected perpetrator(s) identified by the investigations in compliance with international human rights laws and standards;

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<sup>1</sup> Recommended by Economic and Social Council resolution 1989/65 of 24 May 1989, welcomed by the General Assembly in Resolution A/RES/44/159, 1 December 1987, see <http://www.un.org/documents/ga/res/44/a44r159.htm>.

<sup>2</sup> Part III of the United Nations Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions, U.N. Doc. E/ST/CSDHA/.12 (1991), <https://www1.umn.edu/humanrts/instree/executioninvestigation-91.html> or <https://www1.umn.edu/humanrts/instree/Annexes%20for%20UN%20Manual.pdf>.

**Muhammad Idrees and Pervez Akhtar murdered: Urgent need to ensure the safety of lawyers in Pakistan**

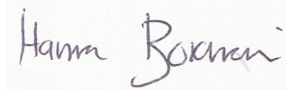
3. Plan and take immediate action to implement, in consultation with the Human Rights Commission of Pakistan, Bar Associations, civil society, and security specialists, effective protective measures for all those in the legal community in Pakistan to ensure no future attacks are carried out and that all lawyers can carry out their work without fear, attacks or reprisal;

4. Provide immediate protection to lawyers and other human rights defenders who may be in danger for their work by creating in cooperation with the Human Rights Commission of Pakistan, Bar Associations and civil society a “First Response Service”;

5. Publicly denounce and condemn all attacks on the legal community in Pakistan.

Please advise LRWC of the actions that the Government of Pakistan is taking protect the legal community in Pakistan and to address these recommendations. Thank you.

Sincerely,



Hanna Bokhari  
LRWC Case Monitor for Pakistan

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