



# **'A BULLET HAS BEEN CHOSEN FOR YOU'**

ATTACKS ON JOURNALISTS IN PAKISTAN

**AMNESTY**  
INTERNATIONAL



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**AMNESTY**  
**INTERNATIONAL**



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Cover photo: Journalists protest against the government ban on private television channels during a rally in the capital, Islamabad, in March 2009. Journalists in Pakistan risk harassment and attacks due to their legitimate work and Amnesty International believes at least 32 have been killed since democratically-elected government was restored in March 2008. © Farooq Naeem/AFP/Getty Images

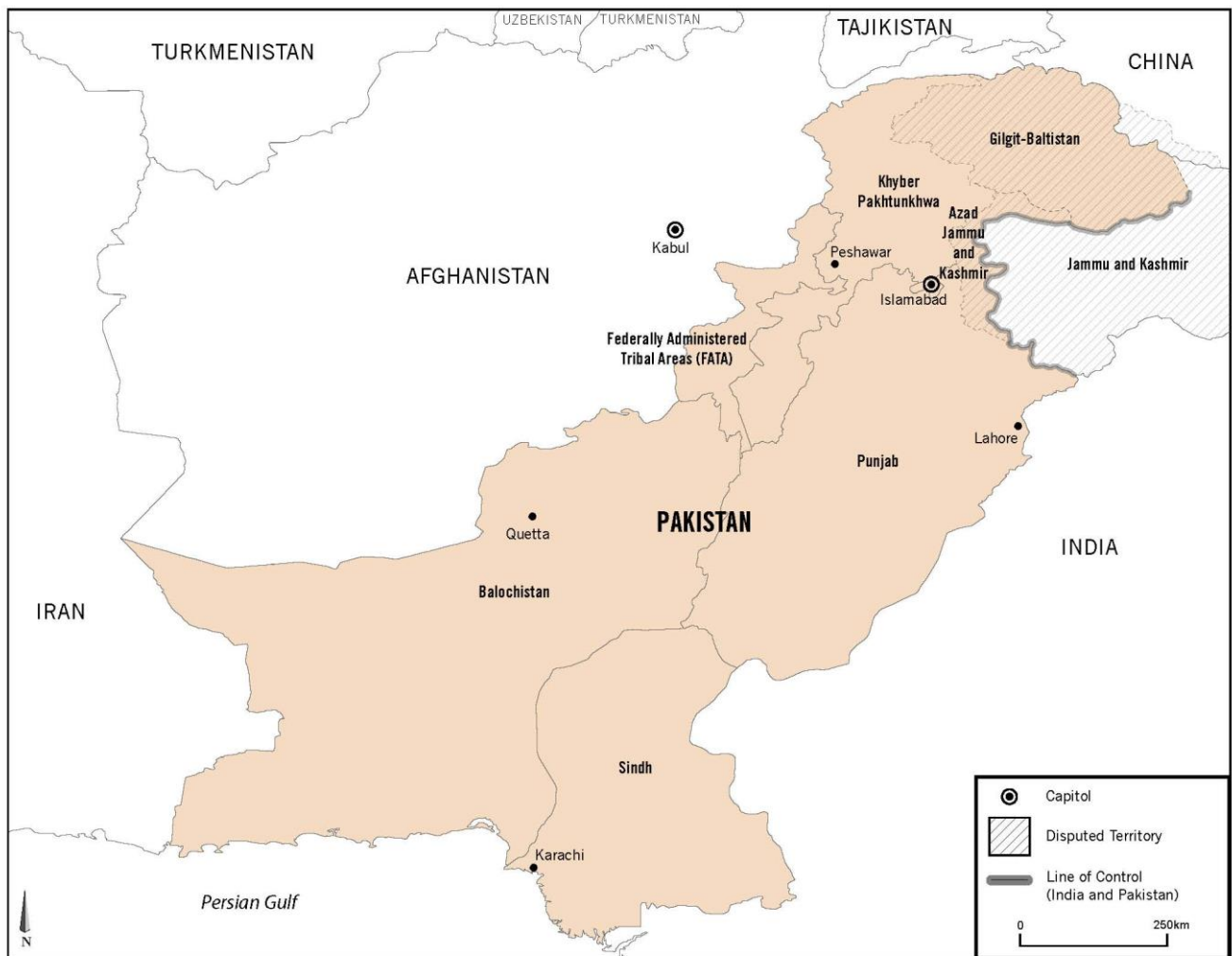
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# CONTENTS

<b>Map of Pakistan .....</b>	<b>5</b>
<b>Table of acronyms.....</b>	<b>6</b>
<b>1. INTRODUCTION .....</b>	<b>7</b>
<b>1.1 Methodology.....</b>	<b>10</b>
<b>2. BACKGROUND .....</b>	<b>12</b>
<b>3. DEADLY CENSORSHIP: THE STATE AND NATIONAL SECURITY REPORTING.....</b>	<b>14</b>
<b>3.1 Assassination attempt on Hamid Mir.....</b>	<b>16</b>
<b>3.2 Abduction and killing of Saleem Shahzad.....</b>	<b>17</b>
<b>3.3 Harassed for embarrassing the military.....</b>	<b>21</b>
<b>Abduction and torture of Umar Cheema .....</b>	<b>21</b>
<b>3.4 Abuses against journalists working for foreign media .....</b>	<b>23</b>
<b>Expulsion of New York Times Pakistan Bureau Chief Declan Walsh .....</b>	<b>23</b>
<b>Abuses against Pakistani journalists working for foreign media .....</b>	<b>25</b>
<b>4. KARACHI: AN URBAN FRONTLINE .....</b>	<b>28</b>
<b>4.1 Plot to kill female anchor.....</b>	<b>29</b>
<b>4.2 Death threats against Ansar Naqvi .....</b>	<b>32</b>
<b>4.3 Abduction and torture of Ali Chishti.....</b>	<b>35</b>
<b>5. IN THE FIRING LINE ON THE FRONTIER .....</b>	<b>37</b>
<b>5.1 Tehreek-e-Taliban Pakistan: threats on the frontier and beyond .....</b>	<b>38</b>
<b>Express Media Group attacks .....</b>	<b>39</b>
<b>5.2 Abduction and ill-treatment of Rehmatullah Darpakhel Dawar .....</b>	<b>43</b>
<b>5.3 Killing of Malik Mumtaz .....</b>	<b>45</b>

6. BALOCHISTAN: CAUGHT BETWEEN THE STATE AND SEPARATISTS.....	48
<b>6.1 Khuzdar: a graveyard for journalists.....</b>	<b>50</b>
<b>6.2 Ayub Tareen .....</b>	<b>51</b>
<b>6.3 Abdul Razaq Sarbazi .....</b>	<b>53</b>
7. THE ROLE OF MEDIA ENTERPRISES .....	56
8. CONCLUSION .....	58
<b>8.1 Recommendations to the Pakistani authorities: .....</b>	<b>61</b>
<b>8.2 Recommendations to political parties, Tehreek-e-Taliban Pakistan, Baloch armed groups, and other non-state actors: .....</b>	<b>63</b>
<b>8.3 Recommendations to media organizations operating in Pakistan:.....</b>	<b>63</b>
ENDNOTES .....	65

## MAP OF PAKISTAN



*\*This map should not be interpreted to represent Amnesty International's view on questions of borders or disputed areas [and their names].*

## TABLE OF ACRONYMS

<b>ASWJ</b>	Ahle Sunnat Wal Jamaat: an anti-Shi’a Muslim religious group.
<b>BLA</b>	Balochistan Liberation Army: an ethnic Baloch armed group advocating the separation of Balochistan province from the rest of Pakistan. It is outlawed by the state.
<b>BLF</b>	Baloch Liberation Front: an ethnic Baloch armed group advocating the separation of Balochistan province from the rest of Pakistan. It is outlawed by the state.
<b>BMDA</b>	Baloch Musallah Difa Army: a pro-state ethnic Baloch armed group.
<b>BNM</b>	Baloch National Movement: an ethnic Baloch political party advocating the separation of Balochistan province from the rest of Pakistan. Some of its members also belong to ethnic Baloch armed groups. The BNM is outlawed by the Pakistan state.
<b>BUJ</b>	Balochistan Union of Journalists: the leading journalists’ union for the province of Balochistan.
<b>ISI</b>	Directorate for Inter-Services Intelligence: the military’s premier intelligence service.
<b>ISPR</b>	Inter-Services Public Relations: the official public relations arm of the Pakistan Armed Forces.
<b>LEJ</b>	Lashkar-e-Jhangvi: an anti-Shi’a Muslim armed group that has claimed responsibility for hundreds of killings across Pakistan. Many of its senior leaders also belong to the ASWJ.
<b>MQM</b>	Muttahida Quami Movement: a political party based in Karachi, Pakistan with representatives in the Federal and Sindh provincial parliaments.

# 1. INTRODUCTION

**"I was told my name was on a Taliban hit-list, but I hoped this was just a tactic to scare journalists like me speaking about the situation in my country. How wrong I was."**

Raza Rumi, journalist

On the afternoon of 27 March 2014, journalist and human rights defender Raza Rumi contacted Amnesty International to register reports that his name was on a Pakistani Taliban hit-list. "I'm not sure if it's real or just an attempt to silence me, but I'm very concerned," he told Amnesty International.<sup>1</sup> The next day while driving home after completing his weekly television programme in the city of Lahore, his car was sprayed with bullets. "I was sitting in the back and instinctively ducked under the seat" he said, while glass shattered all around him. His driver Mohammad Mustafa was killed in the hail of bullets as the car continued to lurch until hitting an electrical pole. Rumi narrowly escaped with his life and suffered only minor injuries. But Anwar Hussain, a security guard in the car with him, hired as protection following the threats, received serious gunshot wounds and was paralyzed.

Raza Rumi's ordeal was far from unique. According to Amnesty International research, at least 34 journalists have been assassinated as a direct consequence of their work since democratically-elected government was restored in Pakistan in March 2008. Since Prime Minister Nawaz Sharif formed government on 5 June 2013, at least eight journalists are believed to have been killed across Pakistan in response to their work. Shortly before the release of this report, broadcaster Hamid Mir, a prominent critic of the military and the Pakistani Taliban, was fighting for his life in hospital after narrowly escaping a shooting in the city of Karachi on 19 April 2014. Over a hundred journalists across the country have given Amnesty International first-hand accounts of harassment, abduction, torture and attempted killings at the hands of state and non-state perpetrators. The facts and circumstances of these abuses vary from case to case, and in different regions journalists face different types of risks. However, all these abuses share the common purpose of seeking to silence the media and stifle public debate.



\* Date when democratically-elected members of Pakistan’s parliament were sworn in.

Although six men were arrested for the attack on Rumi and an investigation is ongoing at the time of writing, impunity is the norm for attacks on journalists. In the overwhelming majority of cases investigated by Amnesty International, the Pakistani authorities failed to carry out prompt, impartial, independent and thorough investigations into human rights abuses against journalists,<sup>2</sup> or to bring those responsible to justice.

Pakistan has a reputation for having a fearless and vibrant media. Despite this, or perhaps because of it, it is one of the most dangerous countries in the world for journalists, judging by the extent and severity of harassment and other abuse they face. The US-based Committee to Protect Journalists (CPJ) ranked Pakistan as the fourth most dangerous country in the world for journalists, while Reporters Without Borders placed the country 158th out of 167 documented countries in its World Press Freedom Index for 2014.<sup>3</sup>

Amnesty International’s research shows that journalists risk abuses in practically every corner of the country. They must confront a range of “red lines”, a general term used by media workers to describe the unspoken boundaries of public discussion accepted by state and non-state actors in Pakistan’s media landscape. All of the suspected perpetrators whose human rights abuses are documented in this report appear to share the common objective of restricting or influencing media coverage and public debate in a way that they consider favourable to their interests. This creates a nearly impossible course for journalists to navigate because appeasing one perpetrator to avoid the risk of abuse almost inevitably increases the risk of abuse from others.

Amnesty International has received credible allegations of the harassment, abduction, torture and killing of journalists carried out by a range of perpetrators. These include, but are not

limited to: the Directorate for Inter-Services Intelligence (ISI), the military's premier intelligence service; the Muttahida Quami Movement (MQM) political party; the armed group Lashkar-e-Jhangvi (LEJ) and its associated religious group Ahle Sunnat Wal Jamaat (ASWJ); Tehreek-e-Taliban (henceforth 'the Pakistani Taliban') and al-Qa'ida-linked groups; and ethnic Baloch armed groups, both pro- and anti-state.

Despite increasing awareness of these threats and some recent attempts by state authorities to address attacks on journalists, the perpetrators continue to operate in a general climate of impunity. In only one of the 73 cases investigated by Amnesty International for this report have the perpetrators been brought to justice. The police or other authorities carried out an initial investigation in 32 of the cases, and in a handful of incidents victims or their families received security protection, compensation or other assistance from the state. Sadly, these instances were the exception rather than the rule, and were generally inadequate in the face of the failure to bring perpetrators to justice. Even in cases where the authorities carried out extensive investigations and managed to arrest the alleged perpetrators, these rarely led to prosecutions due to a lack of will on the part of the state and because investigations and prosecutions were marred by practices that do not meet international fair trial standards.

The failure of the Pakistani authorities to address this impunity effectively sends a signal that any individual or group with the means and intent can literally get away with murder. As far as Amnesty International is aware, in only two cases of journalist killings have the suspected perpetrators been convicted by the courts in the last two decades. In 2002, four men were convicted for the murder of *Wall Street Journal* correspondent Daniel Pearl in Karachi earlier in the same year; but only after the state faced significant international pressure, particularly from the United States government.<sup>4</sup> On 1 March 2014, six men were convicted of the murder of Wali Khan Babar in January 2011, four of whom received life terms while two others, tried in absentia, were sentenced to death. At the time of writing, four of the men were appealing their convictions. However, in both the Daniel Pearl and Wali Khan Babar proceedings, the convicted men claimed they were tortured in custody and their convictions were largely based on their "confessions", raising serious concerns about the fairness of the trial. There are also concerns that some of the individuals responsible for the murder of Daniel Pearl and Wali Khan Babar may still be at large.<sup>5</sup>

The harassment and other abuses faced by journalists seeking to discharge their professional duties impartially have resulted in journalists resorting to self-censorship in order to protect themselves. This in turn has diminished Pakistani society's access to information and open public discourse. Journalists also play an important role in bringing human rights abuses to light and pursuing accountability – vital for the promotion of human rights in any society. The ability to enforce human rights protections in Pakistan is therefore also put at risk by human rights abuses against journalists. Those responsible for attacks on journalists must be brought to justice by the Pakistan government, who should also ensure that journalists are able to undertake their legitimate work without interference. Pakistan is a state party to the International Covenant on Civil and Political Rights (ICCPR), of which Article 19 protects the right to freedom of expression. The Human Rights Committee, the authoritative body mandated with interpreting the ICCPR has highlighted that "A free, uncensored and unhindered press or other media is essential in any society to ensure freedom of opinion and expression and the enjoyment of other Covenant rights".<sup>6</sup> It has recommended that "States parties should put in place effective measures to protect against attacks aimed at silencing

those exercising their right to freedom of expression”, noting that “Journalists are frequently subjected to such threats, intimidation and attacks because of their activities ... All such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims, or, in the case of killings, their representatives, be in receipt of appropriate forms of redress.” As the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has pointed out, “Systematically allowing those responsible for killing journalists or social communicators to go unpunished could be interpreted as tolerance or acquiescence on the part of the State.”<sup>7</sup>

The Constitution of Pakistan enshrines the right to life and liberty, as well as providing safeguards covering arrest and detention, torture,<sup>8</sup> and the right to a fair trial.<sup>9</sup> Articles 19 and 19A guarantee fundamental rights of freedom of speech and a right to information.<sup>10</sup> The Pakistani government must respect these rights by ensuring that journalists face no threats or attacks by its own forces and agencies.<sup>11</sup> It must further respond to any breach of these rights, including by ensuring effective investigation and prosecution whenever journalists face threats and attacks as a result of their work.

Media companies must also bear their share of responsibility for the protection of journalists under attack. Journalists reporting on national security issues, politics and human rights abuses, and especially those reporting from the conflict-affected northwest, the violence-ravaged province of Balochistan and the city of Karachi are seriously exposed to the risk of human rights abuses. Field, junior and independent journalists generally face the greatest risk of abuse, but even senior journalists with significant influence within Pakistan’s political circles have received threats from state or non-state actors. Yet, many of the journalists interviewed by Amnesty International complained about a lack of adequate training or benefits like regular or minimum salaries, support and assistance from their employers to minimise the risks of human rights abuses while they carry out their duties.<sup>12</sup>

## 1.1 METHODOLOGY

Reports of attacks on journalists as a consequence of their work are widespread and frequent across Pakistan, affecting hundreds of individuals or more. Due to the scale of these incidents it was not feasible to research every publicly-reported case of human rights abuse against journalists in detail. However, Amnesty International sought to document every recorded instance of a journalist killing in Pakistan, regardless of the precise cause of death, since democratic rule was restored in March 2008. On the basis of this and subsequent research, this report focuses on 73 incidents of abuse that Amnesty International believes to be emblematic, reflecting a broader pattern of abuses that journalists face in response to their journalism.

The report is based on field research carried out by Amnesty International in Pakistan between 2011 and 2014, including interviews with over 100 journalists and media workers and their relatives. Amnesty International also spoke to representatives of the media industry, state civil and military institutions, political parties, and armed groups, including those

implicated in the abuses documented for this report.

Many witnesses interviewed by Amnesty International were visibly afraid and expressed serious concerns about possible repercussions they may face for speaking about the human rights abuses which they, their colleagues and their relatives experienced. Pseudonyms are therefore used in this report for some witnesses and victims, as indicated at relevant points in the text and footnotes. Some cases have been omitted from the report due to the severe risk of retaliation.

Amnesty International uses the term “journalist” in this report to cover a wide range of actors, including professional full-time reporters, television and camera personnel, as well as consultants, stringers, citizen-journalists, or other individuals who engage in researching or producing content for publication in various forms, including on the internet.

## 2. BACKGROUND

Pakistan has a vibrant and diverse media landscape with both public and private outlets across television, radio, print and the internet. As a September 2013 BBC Media Action briefing noted, “the media offers an increasingly coherent platform for articulating public demand and also has the prospect, over time, of providing greater scrutiny of the country’s ... political institutions.”<sup>13</sup> There are 89 privately-owned television channels and 115 FM radio stations as well as publicly-owned television and radio broadcasters with the widest distribution in the country, and a newswire service.<sup>14</sup> While radio has the widest geographical range over Pakistan, television broadcasters are seen to be the most influential in shaping the national political debate. National newspapers in local languages<sup>15</sup> have wide distribution and significant influence. English-language newspapers have a far smaller circulation but they are influential as they cater to the more educated and elite sectors of society. The Ministry of Information and Broadcasting is responsible for public broadcasters, although Radio Pakistan, Pakistan Television, and the Associated Press Pakistan newswire service are ostensibly independent of the executive branch of government. State bodies are responsible for regulating media platforms and content, and Pakistan’s activist judiciary has occasionally ordered injunctions against media outlets for content considered anti-state or contrary to religious sentiments, invoking the Constitution and other laws.<sup>16</sup>

State authorities have the power to revoke the broadcasting licenses of television news channels which they consider hostile to their interests, including international channels, such as on the grounds that their broadcasts are anti-state or disparage the military.<sup>17</sup> On 22 April 2014, the Ministry of Defence wrote to the state authority responsible for the regulation of broadcast media to cancel the licence of Geo TV and bring criminal proceedings against its management for reporting allegations that the ISI was responsible for the 19 April shooting of Hamid Mir.<sup>18</sup> The BBC World news channel was briefly blocked in 2011 in response to a documentary it aired claiming the Pakistani military supported the Taliban in neighbouring Afghanistan.<sup>19</sup> The All Pakistan Cable Operators Association said cable operators had voluntarily blocked the BBC’s broadcasts in Pakistan and warned that other foreign channels risked a similar ban if they broadcast “anti-Pakistan” content. But members of the industry told Amnesty International that the decision to block the BBC was taken under the aegis of the Pakistan government.<sup>20</sup> As described in more detail in section 3.4 below, many journalists told Amnesty International that the authorities often viewed foreign media operating in Pakistan with suspicion because they were more difficult to coerce than local outlets. The New York Times reporter Declan Walsh argued that Pakistani authorities and particularly the military “think foreign media are swayed by their own governments the way they try to control [the media in Pakistan].”<sup>21</sup> Reports by foreign media which are critical of the state and especially the military are therefore the subject of intense scrutiny by the Pakistani authorities.

Powerful political actors like the MQM also seek to block the transmission of broadcast channels with whom they are displeased (see the case of Abida Sheikh in section 4.1 below for more details) by pressurizing individual cable operators or physically cutting cables. In

addition to inhibiting or blocking their operations, this also severely disrupts revenue flows for media companies, effectively forcing them to self-censor to avoid revenue losses. Armed groups like the Pakistani Taliban have openly threatened certain media because of their tendency to carry stories highlighting social and human rights issues – such as female education or traditional poetry and dance – that the group violently opposes. In a 22 January 2014 fatwa (or decree), the Pakistani Taliban said a number of local broadcasters affiliated to Voice of America were part of “Western propaganda” against the Taliban that the group would no longer tolerate. As a result many local journalists working for the outlet or its affiliates do not publicly disclose their employer’s identity for fear of reprisals.

In all societies the media plays an important role in disseminating information and opinions and influencing political life. Journalists have shown tremendous courage, resilience and dedication over the last several years in seeking to document events in Pakistan during periods of prolonged instability, civil and military crackdowns and violence. It is inevitable that they have attracted the attention of powerful political actors seeking to influence their reporting. But Pakistan’s general climate of impunity and often vicious competition between political actors for media space has led to a deadly downward spiral where state and non-state actors threaten, harass and even attack journalists at will, knowing that they are highly unlikely to be prosecuted, much less convicted.

### 3. DEADLY CENSORSHIP: THE STATE AND NATIONAL SECURITY REPORTING

**“Say whatever you like about politicians, you can even criticise the Army. But the ISI, you can never say a bad word against them.”**

Senior journalist to Amnesty International<sup>22</sup>

Journalists face a range of threats in Pakistan, including from civil and military state organs such as the police and security forces. But no state actor is more feared by journalists than the Directorate for Inter-Services Intelligence of the Pakistan Armed Forces or ISI, the military's powerful and secretive premier intelligence service. Dozens of journalists from across Pakistan and working in all media platforms and for outlets big and small complained to Amnesty International about human rights violations – harassment, intimidation or attacks – they claimed they suffered at the hands of the ISI. On the basis of detailed investigations into these cases, it appears that journalists are particularly at risk of abuse by the ISI if they expose security lapses by the military, its alleged links to armed groups like the Taliban, or human rights violations by security forces in Balochistan and northwest Pakistan, or if they work for foreign media outlets considered by the state to be hostile to Pakistan.

Over the last three years, several journalists approached Amnesty International and provided detailed and credible information of harassment or abuse by individuals they believed were acting on behalf of the ISI. Apart from the handful of cases which have been featured in this report, most requested Amnesty International not to publish the details of their ordeals unless they went missing or were killed, out of fear of repercussions for themselves or their families. Ominously, the journalist Saleem Shahzad, killed in May 2011, sent a similar message to the human rights organization Human Rights Watch and some of his colleagues following an alleged death threat from the ISI: “I am forwarding this email to you for your record only if in case [sic] something happens to me or my family in future.”<sup>23</sup>

Because the ISI is the most secretive and powerful institution within the Pakistan state's security establishment, contact with the intelligence service is highly valued by journalists covering national security issues in the country. However, such contact comes at a price because the power balance is so decisively weighted in favour of the ISI. “A lot of journalists who develop contacts with the ISI later get into trouble [because] when they write a story the agency thinks is critical or not in their interests, they feel you are betraying them,” said one

senior Islamabad-based journalist familiar with the ISI's interactions with the media. All of the journalists interviewed by Amnesty International who had frequent contact with the ISI complained that they could not ignore requests to meet them, for fear of falling foul of the institution and creating the risk of abuse to themselves or their families.

## SILENCED BY INTIMIDATION: KASHIF'S STORY

After journalist Kashif Ahmed (not his real name) carried out an interview with a Baloch separatist leader wanted by the Pakistani military in 2011, he was contacted by the ISI. "The morning after the interview, a man called me. I remember no number showed up. He said he was from the ISI and he wanted to know how I had managed to interview the separatist leader. I explained to him that when I left for this place, their guard put a band on my eyes and it took three more hours [driving] to reach their location. Balochistan is a big place so it is difficult to know where it happened." The ISI officer called Ahmed again the following morning. "He was very polite and suggested that we could have a cup of tea and I said yes." Soon after, a dark green or black coloured two-door pickup with tinted windows came to Ahmed's office in Quetta and drove him the short distance into the Army Cantonment, a high-security area where entry is limited to those authorized by the Pakistan Army.

Inside the car Ahmed met a man dressed in traditional *shalwar qameez* who said he worked for the ISI. Ahmed was led into an office inside the Cantonment situated immediately behind the Serena Hotel, Quetta's main, heavily-guarded luxury hotel. There he again asked Ahmed about the location of the interview. "I explained that because I was blindfolded I didn't know where it was. He then asked for a copy of the recording but I explained it wasn't in my possession."

After another three or four days, the same man contacted Ahmed but this time his demeanour was much more aggressive. "He was shouting at me, saying 'I know you have the video [of the interview], give it to me!'" Ahmed explained that the recording was with his employer and he could not hand it over. "In fact he wanted to stop the interview being broadcast," Ahmed explained. The man continued to call Ahmed, demanding that the interview must not be broadcast, and eventually he "threatened that if the video is telecast it would be very dangerous for me," Ahmed said. Out of fear for Ahmed's safety, his media outlet chose not to publish the video. Ahmed said he did not file a complaint with the police or other authorities because "no one can touch the agencies [ISI]."

Due to the secrecy and lack of accountability surrounding the ISI's operations, and the failure of successive Pakistan governments to carry out independent and impartial investigations into allegations levelled against the institution,<sup>24</sup> it is difficult for Amnesty International to verify many of the cases of alleged violations of human rights by the ISI. The Pakistani authorities consistently deny any such allegations. Colonel Zulfiqar Bhatti, an Armed Forces representative, told Amnesty International that members of the public can write to the Adjutant-General of the Armed Forces regarding any complaints about the ISI or other military institutions which could be investigated by a Court of Inquiry or more formal mechanisms. He said the military does receive complaints from the public but very few from journalists. Bhatti added that "the Army and ISI are criticised openly in the media. Look at the people who speak out about this subject the most – [popular television hosts] Najam Sethi and Hamid Mir. Nothing has happened to them [despite their criticisms]."<sup>25</sup>

Yet both Najam Sethi and Hamid Mir have publicly claimed to have received threats from the

ISI.<sup>26</sup> And subsequently to the meeting, as detailed below, Hamid Mir narrowly escaped an assassination attempt that his relatives blame on the ISI. While Amnesty International is not in a position to assess these claims, several cases raise credible concerns about the involvement of the ISI, its officials or other security authorities in the harassment, abduction, ill-treatment and killing of journalists. The fact that such a wide range of journalists – senior and junior, high-profile and less prominent, from across the country – all described a similar pattern of intimidation and abuse, demonstrates the need for the authorities to establish mechanisms that would enable independent, impartial and thorough investigations into allegations levelled against the ISI and other organs of the military. In the absence of such mechanisms, it is unlikely journalists and others in Pakistan society will be able to obtain justice, or even bring complaints against these institutions without risking further harassment or abuse.

### 3.1 ASSASSINATION ATTEMPT ON HAMID MIR

While driving to the Geo TV office in Karachi on 19 April 2014, broadcaster Hamid Mir was attacked by unknown men riding on motorcycles on Shara-e-Faisal near the Natha Khan area. Mir sustained six bullet injuries to the abdomen, pelvis and thigh, narrowly escaping death thanks in large part to his driver who sped away from the attackers. Although investigations are ongoing, preliminary police investigations suggest the attack was pre-meditated and well-organized. Four men riding on two motorcycles had been following Mir's car for several minutes before firing several shots as they pulled alongside his car. A further two men may have also been waiting for Mir's car at the site of the attack. At the time of writing he remained in a stable condition in hospital.

Within hours of the incident, Hamid Mir's brother Amir, himself a journalist, claimed on national television that Hamid had told him that he feared attacks from specific officials of the ISI.<sup>27</sup> Geo TV immediately broadcast images of a senior ISI official, claiming he was responsible for the attempt on Mir's life. Amir Mir further claimed that Hamid Mir had sent a similar video message to the media rights organization CPJ.<sup>28</sup>

Prime Minister Nawaz Sharif announced a judicial inquiry into the April 2014 attack on Hamid Mir, and Sindh Information Minister Sharjeel Memon said a First Information Report (FIR) would be registered by the police once Mir regained consciousness and was able to provide a statement. However, Mir's colleagues expressed grave doubts about the will or ability of the authorities to investigate the ISI's possible involvement. And in the days that followed the shooting, the national debate quickly became engulfed by long-simmering tensions between Pakistan's democratically-elected executive government and the military, largely fought through the media. Coverage turned into an ugly media war between Jang Group, the parent company of Geo TV and the largest private media house in Pakistan, and rival media houses that accused it of being anti-state for accusing the ISI for the attack. While the Prime Minister visited a recovering Hamid Mir in hospital, the Chief of Army Staff visited the Director-General of the ISI. After the visit an official press release said that the Chief of Army Staff "appreciated the role of ISI towards national security and lauded the contributions and sacrifices of its officers and men towards strengthening the defence of the

motherland.”<sup>29</sup> The Ministry of Defence requested the broadcast media regulator to suspend Geo TV’s license and bring criminal proceedings against its management. The episode demonstrated the significant challenges of bringing accusations of abuse against the ISI, even in high-profile instances involving influential journalists.



Geo TV and newspapers published by its Jang Media Group parent company were banned by the military in virtually all of its offices, cantonments and installations, and several public spaces, including, reportedly, some airports in Pakistan. © Private.

One of the most prominent critics of the military and the ISI, Hamid Mir had broadcast on what are usually taboo topics in Pakistan, such as alleged enforced disappearances and extrajudicial executions by the military in Balochistan province. In 2011 and 2012, Mir himself told Amnesty International that he believed the ISI was trying to kill him but did not provide details about these threats. At time of writing, Amnesty International is not aware of any evidence linking the ISI or other organs or personnel of the military to the attempt on his life. Others, like the Pakistani Taliban and other armed groups, cannot be ruled out. For example, the Pakistani Taliban claimed responsibility for a bomb allegedly found under Mir’s car in November 2012 in response to his coverage of the group’s attack on education rights activist Malala Yousafzai. Mir escaped unharmed after the bomb failed to detonate. He reportedly escaped a second bomb plot in 2013 but little information is available regarding this incident.

### 3.2 ABDUCTION AND KILLING OF SALEEM SHAHZAD

On 29 May 2011, the Asia Times Online correspondent Saleem Shahzad went missing while driving the short distance from his Islamabad home to a television studio in the same city. Just days earlier, Shahzad had published a report on alleged al-Qa’ida infiltration of the

Pakistani military,<sup>30</sup> and he was to discuss this on television that evening. Two days later, on 31 May, his body was found dumped in the outskirts of Mandibaha-ud-Din, a village in the province of Punjab several kilometres from his home. His car was found a few metres from his body. A post-mortem revealed that he died as a result of injuries caused by "severe torture and beating".<sup>31</sup>

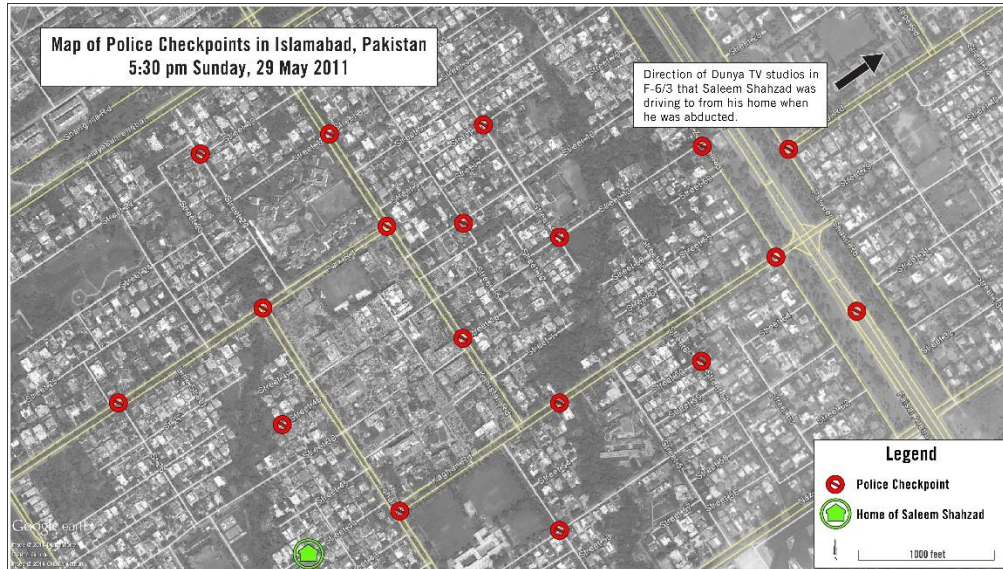
The police registered the abduction and killing of Saleem Shahzad, which should have led to a criminal investigation and proceedings before the courts. However, following unprecedented national and international attention as a result of the murder, the Pakistan government announced it would carry out a high-level investigation. It constituted a five-member Commission of Inquiry into Shahzad's abduction and killing the following month.<sup>32</sup> Chaired by Supreme Court Justice Mian Saqib Nisar, the inquiry also included Agha Rafiq Ahmed Khan, Chief Justice of the Federal Shariat Court; Javed Iqbal, Inspector-General of Punjab Police; Bani Amin Khan, Inspector-General of Islamabad Police; and Pervaiz Shaukat, President of the Pakistan Federal Union of Journalists. The inquiry was tasked with investigating the background and circumstances of the abduction and killing, identifying the culprits, recommending measures to prevent the "recurrence of such gruesome incidents against journalists in future", and investigating violations of human rights protections under the Pakistan Constitution.

Although the inquiry did not have the power to hand out criminal or civil penalties, it was nevertheless the most high-profile and high-level investigation into the killing of a journalist carried out in Pakistan since the murder of Daniel Pearl in 2002. For the first time in Pakistan's history, an investigation carried out under the authority of the state interviewed representatives of the ISI and other military authorities about an abduction and killing in which representatives of the institution were the primary suspects.

The inquiry failed to identify the suspected perpetrators of Saleem Shahzad's killing or to investigate the ISI and other security authorities fully. But his death and the inquiry hearings that followed were watershed moments for Pakistan's journalist community because they offered a rare opportunity to highlight routine harassment and other abuses by the ISI. As the inquiry noted in its report, a "number of witnesses ... have shared their experiences with the Commission as to how they have been threatened and intimidated by the ISI officials." Hamid Mir, whose own case is documented above, submitted a written statement claiming he had faced "threats from Intelligence agencies frequently" for a number of reports highlighting the activities of the military in the previous three years.<sup>33</sup>

The journalist community was particularly alarmed by the brazen ease with which Saleem Shahzad was abducted from a well-guarded part of Islamabad. "The way he was kidnapped in broad daylight from the capital of Pakistan and the way he was killed," said Hamid Mir said in his written statement to the inquiry, "clearly indicates that he was targeted by those who could easily evade the security cameras and security checks of the capital." Police authorities told the inquiry that checkpoints near Shahzad's home were manned at the time he disappeared while driving the short distance to a local television studio. According to these authorities, the police officers at these checkpoints claimed they did not recall seeing his car. But, as shown by the map below – based on Amnesty International research into the exact location of police checkpoints around Shahzad's house at the time of his disappearance– it is highly unlikely that the vehicle, later discovered with his body several

kilometres away in Mandibaha-ud-Din, did not pass through at least some of these checkpoints.



The inquiry then revealed other gaps in information. When it requested call logs from Saleem Shahzad’s cell phone and security camera footage from checkpoints near his home, it was told that these records were inexplicably missing. Suspicion fell on the ISI when it emerged that, several months prior to his death, Shahzad had privately told Human Rights Watch and a handful of colleagues that he had received a “murder threat” from a senior ISI official during a meeting in October 2010.

**“Don’t report on the War on Terror, don’t risk your life.”**

Anita Saleem, widow of journalist Saleem Shahzad<sup>34</sup>

Shortly before his death, Saleem Shahzad had written a story claiming the Pakistan Army had released a senior Afghan Taliban commander so that he could be a “backchannel” between the Army and the USA in any future peace negotiations over the end of hostilities in neighbouring Afghanistan.<sup>35</sup> After the story was published, Shahzad received a call from an ISI official. According to Shahzad, the official “lambasted me that I sold out the national interest by publishing that news.”<sup>36</sup> He told Shahzad to visit the ISI office in Islamabad to discuss the matter further. That evening, 17 October 2010, he met the official and another senior ISI official, and the latter demanded to know Shahzad’s sources for this and other reports on al-Qa’ida infiltration of the military. When he refused to divulge them, according to an email Shahzad sent to Human Rights Watch and colleagues, the senior official said “Saleem, I must give you a favour. We have recently arrested a terrorist and have recovered lot of data, diaries and other material during the interrogation. He has a hit-list with him. If I find your name in the list I will let you know.” In the email Shahzad said, “I take [the senior ISI official’s] ... statement as MURDER threat.”<sup>37</sup>

The inquiry acknowledged unanswered questions about the mysterious disappearance of records that could have been material to its investigation. The senior ISI official also gave evidence before the inquiry and denied having either threatened Saleem Shahzad or uttered the words attributed to him. Even though the inquiry was not convinced, noting that, "although given chances twice [the senior ISI official who met Shahzad] has not come out with [a] satisfactory explanation",<sup>38</sup> it did not probe further. Ultimately the inquiry failed in its primary task of "identifying the culprits", noting instead very broadly, that "various belligerents in the War on Terror – the Pakistani state, the non-state actors such as the Taliban and al-Qaida, and foreign actors ... could have had the motive to commit the crime."<sup>39</sup>

The ISI did not respond to requests for comment from Amnesty International regarding accusations of its involvement in the abduction and killing of Saleem Shahzad. But one security official who spoke on condition of anonymity denied intelligence services involvement. "If they [armed groups like the Taliban, al-Qa'ida and possibly foreign intelligence agencies] can attack Mehran base, GHQ, a court in Islamabad and get away with it, they could also kidnap Saleem Shahzad from the centre of Islamabad. The fact that he was picked up from Islamabad in no way is proof that a Pakistani security or intelligence agency was involved."<sup>40</sup> The inquiry did note that ISI officials and Shahzad had remained in ostensibly "courteous, cordial, friendly" contact with one another over the subsequent seven months after the claimed threat until the latter's death in May 2011.<sup>41</sup> But as other journalists have told Amnesty International, and also told the Saleem Shahzad Inquiry, friendly and polite interactions with the ISI are no guarantee of a low risk of abuse. As noted earlier, many journalists complained that they could not ignore requests to meet the ISI for fear of falling foul of the institution and creating the risk of abuse to themselves or their families.

Several journalists noted that the ISI had a tendency to send veiled threats against those that displeased them. "The way some of the ISI officials approached me and my superiors," television journalist Azaz Syed told the Saleem Shahzad Inquiry "...especially when they asked about the family members and my children ... I construe it to be a threat because asking for this kind of information is in fact tantamount to intimidation and harassment."<sup>42</sup> Azaz Syed is a respected national security correspondent, and, along with Umer Cheema, co-founder of the Center for Investigative Reporting in Pakistan. He told Amnesty International about several run-ins he had had with the ISI, and about attacks on his house which he believes were a direct response to his reports that were critical of the military. He received calls from unknown persons after producing a report which claimed Ahmed Omar Saeed Sheikh, one of five men convicted for the abduction and murder of journalist Daniel Pearl, contacted senior Indian and Pakistani government officials including the then Army Chief General Ashfaq Pervez Kayani, from prison.<sup>43</sup>

Twice in 2010 his house was attacked, including once on 7 May when gunshots were fired in the early hours of the morning, after he published stories critical of the military, its security lapses and its past role in coups against democratically-elected governments.<sup>44</sup> The next day Syed received a call from an unknown phone number. The caller cautioned him that "if you continue this we'll fire at your head or heart straight," he recalled. Almost a month prior to the first attack, an ISI official based in Islamabad met Syed and demanded that he end an investigation he was then carrying out into the execution of a soldier allegedly involved in a

2003 assassination attempt on then military dictator General Pervez Musharraf. According to Syed, the ISI official was particularly concerned that the report must not mention the head of the ISI at the time, who had blocked the soldier's appeal of his death sentence. Unperturbed, Azaz told Dawn News to feature his report which was published unattributed on 24 January 2010.<sup>45</sup>

After each of the attacks on his house in January and May 2010, Syed filed a complaint with local police and accused the ISI of involvement in the attacks. After the second attack, Syed also named the then Director-General of the ISI and the official he encountered in his application to the local police but they did not register the case. Then Interior Minister Rehman Malik personally apologised to Syed for the January 2010 incident, and later that day some lawmakers walked out of the national parliament in protest at the attack.<sup>46</sup> But as far as Amnesty International is aware, the authorities failed to carry out a credible investigation of the two attacks and no one has ever been brought to justice for carrying them out.

As at 30 April 2014, Azaz Syed has continued to receive regular anonymous calls from unknown or unregistered numbers demanding he cease criticising the military "or face the consequences". "I believe my reports have embarrassed them and the harassment is continuously looming," Syed told Amnesty International.<sup>47</sup>

### **3.3 HARASSED FOR EMBARRASSING THE MILITARY**

As in connection with the Saleem Shahzad Inquiry, other media workers interviewed by Amnesty International described a pattern of harassment after they had published reports critical of the ISI or the military, or after interviewing members of armed groups considered anti-state or reporting on alleged links between the military and the Taliban. Typically they would receive phone calls from unknown or undisclosed numbers and visits from men in plain clothes who may or may not introduce themselves as belonging to the ISI. Journalists felt strongly that they were being punished for embarrassing the ISI or the military.

#### **ABDUCTION AND TORTURE OF UMAR CHEEMA**

On the evening of 4 September 2010, investigative reporter Umar Cheema was stopped by what appeared to be a police patrol while driving home in Islamabad. Several men in police commando uniforms grabbed and blindfolded him, bundling him into their vehicle. He was taken to an unknown location and handed over to another group of people who subjected him to torture. "They stripped me naked and tortured me. They said, 'you've been writing against the government ... you should stop this if you want to stop these attacks in the future'," he recalled. Tied upside down, Umar Cheema was punched, kicked and beaten with a leather strap and wooden rod. The perpetrators shaved his head, eyebrows and moustache, and photographed him in humiliating positions, threatening to post the images on the internet. The six-hour ordeal ended after he was thrown onto a highway some 125 kilometres from his home.



Umar Cheema immediately after his release. He was punched, kicked and beaten with a leather strap and wooden rod. Cheema believes he was abducted and tortured for publishing several reports critical of Pakistan's military. © Geo TV.

Umar Cheema is in no doubt that those responsible for the attack belonged to the military. "I had been writing critical articles about the military and intelligence agencies," he told Amnesty International. Cheema had also reported on the alleged embezzlement of public funds by the civilian government of then President Asif Ali Zardari, a frequent target of the Pakistani media.<sup>48</sup> But his most explosive and sensitive reports were on the military, reports that Cheema said were considered highly embarrassing to the Army and the ISI. In the months prior to his abduction and torture, Cheema had reported on the Army's refusal to provide evidence for the prosecution of persons accused of killing army personnel, including the chief suspect in the assassination of General Mushtaq Baig, the most senior military officer killed by armed groups in the last 10 years of insurgency.<sup>49</sup> Cheema also reported on elite army commandos who were court-martialled and imprisoned for calling for a political settlement of the 2007 Islamabad Red Mosque siege, a controversial military operation carried out during the military rule of General Pervez Musharraf.<sup>50</sup> In another report Cheema revealed that the General Headquarters of the Army in Rawalpindi were guarded by local police and not military personnel because the Army high command was concerned about security threats from within their own forces.<sup>51</sup>

Umar Cheema received anonymous calls from unknown numbers demanding that he stop his investigations into these incidents in the days and weeks after each of his reports were published. "We are not in the habit of writing about the Army, it is usually a sacred cow in Pakistan," he told Amnesty International. Despite this, Cheema took the unprecedented step of publicly disclosing his ordeal, saying "I can't precisely say who could be behind this attack but I believe that army-controlled intelligence agencies and civilian [intelligence] agencies

should explain their position."<sup>52</sup> His case received significant public attention and the government established a judicial inquiry to investigate it. In November 2010 the inquiry submitted its report to the Ministry of Interior, but while extracts were given to the Senate Committee on Human Rights, neither these nor the full report have ever been shared with Umar Cheema or publicly disclosed. Amnesty International is not aware of any criminal investigation of the military, the ISI or other security or intelligence services over the abduction and torture of Umar Cheema. No one has ever been charged or brought to justice.

### 3.4 ABUSES AGAINST JOURNALISTS WORKING FOR FOREIGN MEDIA

Journalists spoke to Amnesty International about the threats they faced from state and non-state armed or political groups because of their work for foreign media outlets in Pakistan. Some of the most prevalent threats come from the ISI because it is tasked with monitoring the activities of foreign governments, media and individuals in Pakistan. In recent years, all foreigners based in Pakistan, including journalists, have had their travel through the country drastically curtailed by the authorities' often *ad hoc* application of travel and visa restrictions. Some journalists are restricted to one or more cities and all are excluded from carrying out unauthorised travel to dangerous and politically sensitive areas like Balochistan, the Federally Administered Tribal Areas (henceforth 'the Tribal Areas') and interior Sindh. The authorities have increasingly required foreign journalists to apply for No Objection Certificates (NOCs) before visiting these areas.

Foreign journalists are generally immune from direct harassment or abuse from the ISI or other state security personnel. "There are two thin layers of protection as a foreign journalist in Pakistan. First, you work for a foreign organization. Second, you are a foreign national," one Islamabad-based foreign correspondent told Amnesty International. However, on some rare occasions even foreign journalists have fallen victim to threats and attacks. In 2006 New York Times correspondent Carlotta Gall was assaulted by members of the ISI who broke into her Quetta hotel room during her investigation into Pakistani military support for the Taliban.<sup>53</sup> As she recounted in the newspaper:

*they burst in in a rush, snatching my laptop from my hands. There was an English-speaking officer wearing a smart new khaki-colored fleece. The other three, one of whom had the photographer in tow, were the muscle. They went through my clothes and seized my notebooks and a cellphone. When one of the men grabbed my handbag, I protested. He punched me twice, hard, in the face and temple, and I fell back onto the coffee table, grabbing at the officer's fleece to break my fall and smashing some cups when I landed.<sup>54</sup>*

#### EXPULSION OF NEW YORK TIMES PAKISTAN BUREAU CHIEF DECLAN WALSH

In the early hours of 12 May 2013, the day after Pakistan's general elections, the New York Times' Declan Walsh was expelled from the country. He had been covering the elections from Lahore when he was detained and escorted to the airport by a group of plain-clothed intelligence agents. One of the most experienced foreign correspondents in Pakistan, Walsh

had received a late evening call two days earlier from an unknown person who told him to "come home now."<sup>55</sup> He returned to see a group of police and men in plain clothes waiting outside his house. One of the men handed him a letter from the Ministry of Interior that read, "It is informed [sic] that your visa is hereby cancelled in view of your undesirable activities. You are therefore advised to leave the country within 72 hours."<sup>56</sup> Declan Walsh described the notice as "a complete bolt from the blue. I had no idea that anything of this sort was coming."<sup>57</sup> The New York Times' executive editor, Jill Abramson, described the Interior Ministry's claims as "vague and unsupported", noting that Walsh "had received no further explanation of any alleged wrongdoing."<sup>58</sup> Walsh was escorted to the airport in the early morning of 12 May where he boarded a plane and left the country.

The New York Times formally protested the expulsion, and on at least three occasions Prime Minister Nawaz Sharif has promised to look into the matter, most recently during a meeting with representatives of the CPJ on 19 March 2014.<sup>59</sup>

Although the notice came from the Ministry of Interior, Declan Walsh and The New York Times believe Pakistan's military was behind his expulsion and the revocation of his visa, and that this action was a direct response to his work as a journalist. According to Walsh, the military was angered by his reporting on a range of sensitive political and human rights topics, including the military's alleged role in the enforced disappearance and extrajudicial killing of Baloch separatists, its relationship with the CIA, and the workings of the US drone programme. Previously The Guardian newspaper's correspondent for Afghanistan and Pakistan, Declan Walsh had been living in Pakistan since 2004 and had routinely reported on major human rights issues considered sensitive by state authorities. He told Amnesty International that there were "a number of signs" that the military was displeased with his reporting in the months leading up to his expulsion. On 5 March 2013, the ISPR issued a terse press release describing a report by Walsh for the New York Times of the previous day as "a distortion of the facts".<sup>60</sup> He had filed a report mentioning the claims of unspecified US officials that the killing of alleged al-Qa'ida members in North Waziristan in February 2013, widely reported as due to a US drone strike at the time, was carried out by the Pakistani military.<sup>61</sup>

The previous year, on 16 August 2012, a report filed by Walsh claimed that the Kamra military base attacked by militants in August 2012 housed parts of Pakistan's nuclear weapons programme.<sup>62</sup> A statement released by the Pakistani authorities following Walsh's expulsion claimed that this and other reports were "inaccurate and defaming pieces about Pakistan". It further noted that the report on the Kamra base "created international alarm and caused the Government of Pakistan embarrassment." The statement also claimed that Walsh had visited "troubled areas" without government permission.

On the evening of 16 August 2012, the same day of the report, senior television anchor Hamid Mir highlighted Declan Walsh's Kamra base attack on his show, one of the most popular programmes in Pakistan watched by millions across the country. The show was dominated by comments from Hamid Mir and other contributors claiming that foreign media outlets were seeking to embarrass the country at the behest of Pakistan's foreign enemies. A photo of Declan Walsh was shown on the television screen, while Mir proceeded to claim that the journalist was spying for the CIA.<sup>63</sup> This was despite Hamid Mir's outspoken support for journalist colleagues following the murder of Saleem Shahzad in 2011 (see section 3.2

above). Over the next few months, a series of newspaper articles also appeared in different parts of the country claiming, for example, that Declan Walsh was a CIA agent "spying in KP [Khyber Pakhtunkhwa] and FATA [Federally Administered Tribal Areas]" who had been working with Raymond Davis.<sup>64</sup> Walsh said, "in Pakistan, if people insinuate you are a CIA agent it's tantamount to a threat to your security given how many different militant groups and people [in the general population] there are" who actively seek to attack anyone considered a foreign spy, especially for the USA. The incident was a sobering reminder that journalists themselves can endanger people's lives by comments and insinuations they make.

"Most foreign journalists know or sense they are being surveyed but most of the time it's not overt or they don't get hassled," explained Declan Walsh. He further commented, however, that the level of control of foreign journalists increased in 2011 after a series of national security crises, most notably the killing of al-Qa'ida leader Osama bin Laden by US special forces and the arrest and eventual release of CIA contractor Raymond Davis after he killed two Pakistani nationals in Lahore. These incidents "ratcheted up the establishment's paranoia about who foreign journalists were working for." This was a sentiment shared by several Pakistan-based foreign journalists interviewed by Amnesty International. As one of them said:

*the Pakistani authorities and especially the Army are obsessed with finding so-called 'pro-Pakistan' journalists. They don't appreciate the difference between legitimate criticism of government or its policies and giving a distorted picture of the country. Pakistan is better served by a foreign press that is unfettered than one operating under restraints. There is more chance of a distorted picture of the country if foreign journalists cannot freely access it or just fly in for a few days.*<sup>65</sup>

#### **ABUSES AGAINST PAKISTANI JOURNALISTS WORKING FOR FOREIGN MEDIA**

Locally-engaged journalists working for foreign media face a greater risk of harassment or abuse because they are an easier target for authorities seeking to influence or punish foreign outlets. Sana ul-Haq, a journalist who occasionally works for the New York Times, was abducted on 14 October 2013 by unknown men in plain clothes as he was walking home in Mingora, Swat, in northwest Pakistan. Immediately bundled into a jeep and blindfolded, ul Haq was taken to an unknown location and released after 11 hours. He was beaten while being interrogated about his involvement with the newspaper and its Pakistan bureau chief, Declan Walsh, who had been expelled from the country in May 2013. The perpetrators asked a range of questions, including some that suggested very detailed knowledge of the workings of the newspaper in Pakistan. They also made it clear that they were displeased about the New York Times' reporting on local sentiment towards Malala Yousafzai, a young education rights activist who had narrowly survived an assassination attempt by the Pakistani Taliban in October 2012. Ul-Haq and several of his colleagues believe the perpetrators were affiliated with the ISI or other military authorities and that he was targeted because of his association with the New York Times and Declan Walsh, with whom he had worked since 2007. According to reports, the Army denied any involvement in the incident.<sup>66</sup> However, as far as Amnesty International is aware, despite a complaint made to the police, no investigation has been carried out by the authorities into the abduction and ill-treatment of Sana ul-Haq, and the perpetrators remain at large.

In 2012 Bilal Yusuf (not his real name) helped a foreign correspondent on an exclusive report relating to a senior armed group leader that became a major news item in the global media. The report was particularly sensitive because it claimed that the ISI engaged in torture, and it appeared to be based on unprecedented access to high security state installations. Although he only assisted in parts of the investigation, Bilal Yusuf's name was featured in the report and he started to receive phone calls. "The day after the report came out, I woke around midday and noticed hundreds of calls on my cell phone. Some of them were from the USA or Britain, international media like that. But most of them were from unknown numbers," Yusuf told Amnesty International. "That's when I realized the story had rung alarm bells across the country." Eventually Yusuf answered a call from an officer of the ISPR, the official public relations arm of the military, who asked him about his involvement in the investigation.

Yusuf had been working on the story for several months, and had tracked down key witnesses and other information on behalf of the foreign journalist. "I told him it wasn't my story, the foreign journalist did it. I just assisted him," he recalled. When the ISPR representative asked for more precise details about the nature of his assistance, Bilal Yusuf requested that they meet in person. "I said I'd prefer to speak to you face to face." But fearful of being abducted or worse, Yusuf changed his mind and did not keep the appointment. In the early afternoon he received a call from an unknown person he believes was from the military or ISI. "He was speaking Urdu in a heavy Pashto accent. He said 'you won't see tomorrow's sunrise'."

Feeling increasingly apprehensive, Yusuf sought the advice of senior colleagues. Maqsood (not his real name), a senior journalist, cautioned him against meeting the ISI because the report he had worked on had embarrassed them. Yusuf nevertheless decided to visit the ISI and told Maqsood "to do everything" he could, if anything should happen to him. Yusuf then met a military officer in Islamabad market. "The moment I sat in the car he told me to take the battery out of my cell phones and I was driven to a nearby house," Yusuf recalled. "I had no idea where it was, it had huge gates and a guy at the front gate saluted him as the car drove in." The two men entered the house and sat in a room with two other people. "After we sat down he [the military officer] asked me to 'start speaking, and remember whatever you say we already have on record so please don't lie'." Yusuf explained his involvement in the report, the officer told him to tell the media that it was a concoction of the CIA. "You will go in front of the media and say the CIA forced the foreign media outlet and you to do this story," Yusuf recalled the officer saying. "I said, 'sir you know that means you're asking me to say that I was a CIA agent, anyone could kill me after that!'" But the officer was insistent and repeated his demand. He then ordered Bilal Yusuf to visit the ISI headquarters in Islamabad the next day where again an officer from the intelligence service told him to claim his report was planted by the CIA. After a brief exchange the officer gave Yusuf a warning: "We'll be watching you closely so don't do anything that would put you in jeopardy." "They had a very brief tone, but were always polite," he recalled. "I tried to remain calm, but inside I was terrified and panicked. Everyone knows what happened to Saleem Shahzad."

Waqar Kiani, a journalist who worked for The Guardian newspaper, was abducted by men in police uniform five days after going public about an earlier abduction and torture allegedly carried out by Pakistani intelligence officials. On the evening of 18 June 2011, Kiani was stopped by a police van in G-8 Markaz in Islamabad while driving to the local shops. Ordered to get out of his car, Kiani was immediately punched and beaten with wooden batons and a

rubber whip by about four men while two other men watched from the jeep. Waqar Kiani told the Guardian at the time, "They said 'You want to be a hero? We'll make you a hero' ... Then they said, 'We're going to make an example of you.'"<sup>67</sup> Three years previously, in July 2008, Kiani was stopped by a Toyota jeep and a saloon car while driving in Islamabad. Two unknown men in plain clothes approached Kiani from the vehicles and dragged him into the jeep, blindfolded him and drove him to an unknown location where he was repeatedly beaten and burned with cigarettes. After 15 hours, Waqar Kiani was dumped in the outskirts of Mianwali, Punjab, some 230kms from where he had been picked up.<sup>68</sup> At the time Kiani had been working with The Guardian on alleged cooperation between the UK and Pakistani intelligence services in the unlawful detention and ill-treatment of terrorism suspects.

## CONFIDENTIALITY AND THE PROTECTION OF SOURCES OF INFORMATION

Journalists should be able to carry out their task of informing the public without state interference. Confidentiality and the protection of sources of information are essential for the work of journalists. International human rights standards are clear that a journalist must not be compelled to hand over information on sources unless ordered by a court on the basis that access to the source is necessary to protect an overriding public interest that cannot be protected by other means.

Then Interior Minister Rehman Malik ordered separate judicial and police inquiries after Waqar Kiani and The Guardian went public with his second abduction. After a preliminary Islamabad police investigation concluded that police were not involved in the incident, no further action was taken by the authorities. As far as Amnesty International is aware, no one has been brought to justice for the abduction and torture of Waqar Kiani in 2008 and 2011. The New York Times' Declan Walsh, who worked closely with Waqar Kiani when he had earlier been at The Guardian, said Kiani's treatment was a "sobering illustration of the threats faced by those who work for the foreign press."<sup>69</sup>

Sometimes the mere fact that local journalists work for foreign media outlets creates the risk of abuse from state or non-state actors. For example, the Balochistan correspondent for the BBC Urdu service, Ayub Tareen, told Amnesty International that he believes he faces an increased risk of abuse from armed groups and state security forces because he works for an international broadcaster that highlights social, political and human rights issues, subjects that local media discuss less frequently. Separatist Baloch armed groups are a particular challenge, according to Ayub Tareen, because the BBC Urdu service is one of the few outlets that gives them coverage and the potential to reach audiences in Pakistan and around the world. (For more information about the threat of abuse to Ayub Tareen from separatist Baloch armed groups, see section 6.2 below.)

## 4. KARACHI: AN URBAN FRONTLINE

**“There are different political groups, organizations, mafia. When the objectives of these organizations are negatively affected they try to target journalists.”**

Zahid Essa Khokar, journalist with Awaz TV

Karachi is Pakistan’s volatile largest city and business hub, and is also home to powerful political actors that have been implicated in human rights abuses for decades.<sup>70</sup> A stronghold for the political parties, Muttahida Quami Movement (MQM) and Pakistan Peoples Party (PPP), which have their headquarters there, the Pakistani Taliban and other armed groups have also increased their presence in the city over the last five years. All of these actors, and groups associated with them, have been implicated in controlling entire neighbourhoods through extortion rackets, killings and abductions. Karachi is also where the largest private media houses of Pakistan are based, making it an inherently high-risk environment for journalists, whether “beat” reporters covering almost daily clashes between supporters of rival political party, or producers and network anchors vying for attention and influence in Pakistan’s saturated prime-time television market. “There are dozens of political parties in Karachi,” says Sohail Khattak, a journalist working with the Express Tribune newspaper. “They send press releases every day but you cannot incorporate them all into the three or four city pages. If you start taking every press release you would need at least 20 pages just to cover politics in Karachi each day. The other problem is that every second party is against his rival. So if you cover one, the other will be annoyed. So you have to be very careful. If you give 50% coverage to one party, then you have to give 50% coverage to its rival.”<sup>71</sup>

Karachi-based journalists expressed anger and frustration at the failure of the state to protect them from attacks. A significant hurdle to the protection of journalists there is the fact that law enforcement authorities are themselves subjected to abductions, targeted killings and other abuse to prevent them from investigating cases against political actors and armed groups. According to Karachi police official figures, 166 policemen were killed across the city in 2013, while 45 police officers were killed in the city in 2014 up to 16 March. Police accuse the Pakistani Taliban and its affiliates for the majority of these killings, but the MQM political party has also been implicated in the killing and intimidation of the police force. The Supreme Court of Pakistan noted that as many as 92 policemen involved in operations against the MQM from 1992-1995 had themselves “disappeared”, likely as a result of revenge by party activists for abuses these officers allegedly perpetrated against MQM members during those years.<sup>72</sup>

The MQM also stands accused of seeking to undermine efforts to provide justice in cases of journalist killings implicating the party's activists. None is starker than the killing of young Geo TV correspondent Wali Khan Babar. On 13 January 2011, Babar was shot dead as he was driving home from work in Karachi. He had just filed his latest report on gang-related violence in the city and alleged links between a gambling syndicate and the MQM. The case outraged the journalist community, and under sustained pressure from journalists and public the authorities brought criminal proceedings against eight suspected killers soon afterwards. But the march towards justice for Wali Khan Babar's killing soon faced significant hurdles. One after the other, police officers and witnesses involved in the case were assassinated, and the public prosecutors responsible for the case were forced to go into hiding after receiving death threats. Eventually the authorities were forced to move the trial out of Karachi.

Two of the eight accused were tried in absentia. Amnesty International is concerned that the prosecution of the remaining six also may not have met international fair trial standards. A number of the convicted men had claimed that their confessions were extracted under torture by police personnel. Babar's relatives and some colleagues also complained that the principal perpetrators – those who gave the orders to kill the journalists – were never identified, arrested or brought to trial. Despite this, on 1 March 2014 the Kashmore and Kandkhot Anti-Terrorism Court convicted six men of the murder of Wali Khan Babar in January 2011, four of whom received life terms, while the two men tried in absentia were sentenced to death. Although the court did not hold the MQM responsible for the murder, it noted that the six were known "target killers" associated with the party, leaving serious questions as to the possible involvement of the MQM or senior members of the party in the killing of Wali Khan Babar.

The case exemplified the enduring challenges to justice for attacks on journalists, not only in Karachi but arguably across the country, including both the absence of effective laws and practices to protect the rights of victims, witnesses and others involved in the prosecution of those responsible for journalist killings, and the rights of those accused or convicted of these crimes. The convictions were nevertheless greeted as a milestone by a violence-weary journalist community because they were the first time anyone had ever been brought to justice for killing a Pakistani journalist. The proceedings also prompted lawmakers in Sindh province to pass Pakistan's first and currently its only witness protection programme: the Sindh Witness Protection Act 2013. At the time of writing the Act was still in the process of being implemented.<sup>73</sup>

## 4.1 PLOT TO KILL FEMALE ANCHOR

No political party in Karachi is more feared by journalists than the MQM. Senior television anchor Abida Sheikh (not her real name) received significant death threats that she and Pakistani security authorities believe came from the MQM after she extensively reported on alleged vote-rigging by the party during the last general election on 11 May 2013.

"The day of the election I was supposed to visit a few constituencies and report from there," she told Amnesty International. "I started getting phone calls from every nook and corner that

people are not being allowed to cast their vote and I wanted to find out why." Sheikh decided to visit her own constituency in a Karachi neighbourhood to see if there were any problems casting a vote. At her local polling station, Abida Sheikh noticed, "huge queues, and people were not allowed inside." After struggling into the polling station along with others in the crowd, she eventually reached a room where she claims to have seen a group of people stamping election ballots. "When I took one of the ballot papers from them I saw they were stamping the kite symbol which represents the MQM," she recalled. Soon after, Sheikh spoke over the phone to her channel's live election broadcast "I said 'MQM boys are rigging the ballots' ... that made them go crazy."

According to several current and former employees of her media outlet at the time who witnessed events from their offices, MQM representatives immediately contacted the outlet's management to complain angrily about the broadcasts. The management pleaded with Sheikh to stop discussing alleged vote rigging by the MQM. "Management repeatedly told me not to discuss the issue and to divert the elections transmission show to other parts of Pakistan," she said. Although the outlet's management denied these claims to Amnesty International, other staff who were present during the incident confirmed Sheikh version of events. "They [management] would not even allow me to invite MQM representatives on my show [later that evening] to discuss what happened that day," Sheikh said when asked if she sought the MQM's point of view on the claims. As tensions simmered, she decided to leave the country temporarily.

That following evening, the MQM's London-based chairman Altaf Hussain gave a fiery speech via satellite link to party supporters in Karachi in which he said, among other things:

*And I want to say to those who criticize [MQM], anchor persons and other critics. You are crossing the limits by targeting MQM. I want to tell them, if you are using such a tongue we can take care of it. If our supporters get angry and slap you when you abuse Altaf Hussain and the MQM, how many people can I control? A father cannot always control his son.<sup>74</sup>*

As the days passed and the allegations refused to disappear, the MQM faced a significant backlash from the media and political rivals. In the face of this pressure, on 16 May Altaf Hussain publicly apologized for his statements that were "made out of passion."<sup>75</sup> As passions appeared to be subsiding, Abida Sheikh returned to Karachi but was surprised to see a heavy security presence outside her house. "I saw Rangers [a state security force] everywhere surrounding my house and I got very worried something had happened to my sons or other loved ones," she said. She met officials of the Karachi police, Rangers and intelligence services inside her home where they told her they had intercepted phone traffic that indicated that four "target killers" working for the MQM were monitoring her movements. "The officials said they are waiting to kill me or [members of] my family in my house and make it look like a robbery. One of them said 'if you hadn't left Karachi you'd be dead by now'," Sheikh recalled. The officials offered to provide security at her home and also while she was travelling to and from work. The authorities also provided her with an intelligence report which noted that her life was in danger from the MQM. Security officials told her to leave Karachi while they spoke to the MQM leadership in order, Sheikh recounted, to try and "sort this mess out for you." Karachi police also recommended that she purchase a bullet-proof car. However, the authorities carried out no further investigations, and at time of writing no one has been brought to justice for the alleged plot to kill Abida Sheikh or her family

members.

"In Pakistan no one has ever been able to directly blame the MQM by name. Even if they shut the city down [a regular occurrence in Karachi], we say a political party has shut the city down." According to Sheikh and other journalists interviewed by Amnesty International, journalists face pressure from all political parties, particularly if they are critical of them. "But," she said, "we can mention the Pakistan Peoples Party or other political parties and never receive a serious threat [to life] the way you receive threats from the MQM."

Sheikh claimed that media owners were compelled to accept the influence of the MQM as "otherwise they [MQM] will switch off the cables to our shows," either by putting pressure on private cable operators or physically cutting cables. According to Abida Sheikh and other media professionals working at her media outlet at the time, the transmission of her show was disrupted on four occasions between December 2010 and May 2012. She and colleagues working on the show believe the MQM was responsible because they were critical of the party. Many other journalists told Amnesty International that media outlets bowed to MQM interference in their editorial content under the constant fear of having their broadcasts disrupted or their staff subjected to harassment or abuse. "Every day for every show you have to call them up and tell them what issues will be covered," a staffer at a private news channel, who requested anonymity, told Amnesty International. "Yes, other political parties keep a tab too," the staffer said, "but none can pressurize [Karachi-based private news channels] like the MQM". For example, when her media outlet advertised Sheikh's pre-recorded interview with PPP senior leader and prominent MQM critic Zulfikar Mirza, transmissions of the channel appeared to have been blocked again and the interview was never broadcast.

Along with Abida Sheikh, several journalists interviewed by Amnesty International complained of harassment and other abuse by the MQM, but most were unwilling to have their cases mentioned in this report out of fear of harassment or abuse by members of the party. Representatives of the MQM told Amnesty International that they rejected the claims documented in this report, including that members or supporters of the MQM had been plotting to kill Abida Sheikh or her relatives, or were responsible for the murder of Wali Khan Babar.<sup>76</sup>

An MQM official said any member of their party found to be engaging in illegal activities would be immediately sanctioned, or removed from the party. "It is not the stated policy of the MQM to intimidate journalists critical of us. We believe in [the right to] freedom of expression," said senior MQM leader Mustafa Azizabadi. He also claimed that there was a campaign to malign the MQM for abuses carried out by other actors, while the state had failed to bring to justice the perpetrators behind the abduction, torture and killing of scores of party activists. However, given the overwhelming number of journalists who have complained about threats emanating from the MQM and the general fear of the organization, Amnesty International has serious concerns about the failure of Pakistani authorities to carry out a thorough, independent, impartial investigation into the many credible allegations of human rights abuses by MQM members against journalists brought to their attention by victims, their colleagues or relatives. As Abida Sheikh told Amnesty International, "for individual journalists to support a political party is fine. But to try to intimidate or blackmail journalists into promoting one political party's views is a threat to freedom of expression. How

can people speak out about what's wrong in the society if they're terrified of being killed for speaking out?" Several journalists approached Amnesty International to record their experiences of harassment or abuse by the MQM but were unwilling to have their ordeal publicly documented for fear of further abuse. In none of these cases did the authorities adequately investigate the alleged MQM perpetrators.

## 4.2 DEATH THREATS AGAINST ANSAR NAQVI

Even journalists behind the scenes face threats, especially those responsible for managing content at media outlets. On 31 January 2014 the anti-Shi'a religious group Ahle Sunnat Wal Jamaat (ASWJ) held a rally in Karachi to protest against the government of Iran. Up to 5,000 ASWJ supporters planned to march towards the Iranian Consulate but law enforcement authorities prevented them from moving beyond a place called Guru Mandir. By early evening, ASWJ leaders were preaching fiery sermons to the increasingly agitated crowd. At 6:39pm Ansar Naqvi, the Controller of News (Input) at Geo TV, the largest and most influential private broadcaster in Pakistan, received a call from a well-known ASWJ representative complaining that Geo was not giving sufficient coverage to the Karachi rally. At the time Geo was devoting its primary focus to the ongoing treason trial of former military ruler Pervez Musharraf, in relation to which a judgment had been handed down the same day. "We are not happy with you, don't make us do something you will regret,"<sup>77</sup> the caller said, but Naqvi replied that Geo was airing reports of the rally, including "breaking tickers" across the bottom of their transmission noting the speeches of ASWJ senior leaders Mohammad Ahmed Ludhianvi and Aurangzaib Farooqi. "He then demanded that I immediately cut to the ASWJ rally and repeated, in a threatening tone, 'don't make us do something you will regret'."<sup>78</sup> Naqvi continued to explain that Geo had been covering the rally, but the ASWJ representative then said "cut to our rally now or you will be sorry." Naqvi again said that Geo is providing coverage, "I said, 'please do not speak to me like that, I neither talk to anyone like, nor do I expect to be spoken to like that'," to which the representative replied "cut immediately to our rally, otherwise..." and dropped the call.

Minutes after the phone conversation ended, ASWJ leader Aurangzaib Farooqi, who was speaking at the rally, told the crowd that the group had spoken to Geo TV's Ansar Naqvi demanding better coverage but Naqvi had refused. Then he told the crowd "he [Naqvi] is Shi'a. He is favouring Shi'as. He is getting money from Iran. He is a thief and cheat." On hearing those words, "the crowd got very agitated and started chanting slogans against Geo and Shi'as" recalled one member of a private television crew who was present during the rally. Moments later, Faysal Aziz Khan, Geo's Karachi bureau chief, called Naqvi and told him Geo TV's camera crew at the ASWJ rally had just been attacked and forced to flee after hearing gunshots fired in their direction.

"He had just uttered those words when people started attacking the cameramen covering the rally. Not just us but the other news channels too," recalled cameraman Farooq Parbat (not his real name) who was covering the event for Geo TV.<sup>79</sup> "The crowd started hitting the media people, slapping them. Some were using sticks. We were standing on top of a container [on the road blocking the rally from moving beyond Guru Mandir] filming when I heard bullets

whistle past me," Parbat added. He and the rest of the crew scrambled to their broadcasting van and fled the vicinity. Television crews from at least two other channels, Abb Takk and Waqt, also reported being attacked by the crowd and their broadcasting vans were also hit by bullet fire. "If they had caught us I think we would've been killed or severely injured," Parbat said.

As far as Amnesty International could determine, no one was killed at Guru Mandir but a number of media workers were badly beaten by some of the protesters. Although four senior police superintendents and 1,700 police officers were present at the rally, along with several soldiers from the Rangers security force, eyewitnesses told Amnesty International that they remained at their positions and did not try to calm the crowd or protect the media crews from attacks. "I could see that the police and Rangers were also scared for their lives," said one witness.

## **THREATENING MESSAGES RECEIVED BY ANSAR NAQVI ON HIS CELL PHONE**

Son, straighten up, miss behaving [sic] with our religious scholars will cost you.

Mr... you have misbehaved with the spokesperson of Ahlay Sunnat Wal Jummat. Why did you do that? Action will be taken against you. Tehreek-e-Taliban Pakistan.

We will deal with you bastard

Your head will be no more, remember. All this will cost you a lot, do remember. Representative of Malik Ishaq [senior leader of ASWJ].

When cruelty increases, nothing is visible. We are telling you. Then your fate will be like Chaduhry Aslam [a senior police officer killed by the Pakistani Taliban in Karachi on 9 January 2014], do remember.

After the rally, Ansar Naqvi received hundreds of threatening phone calls and text messages from unknown individuals, and he gravely feared for his life. He directly or indirectly contacted several senior government officials, including Additional Inspector-General of Sindh Police Shahid Hayat, Deputy-Inspector General of the Crime Investigation Department Zafar Bukhari and Colonel Shafeeq of the Rangers. He sent them the mobile phone numbers from which he received death threats but was not informed as to whether the numbers had been traced or if any suspects had been arrested. The Sindh provincial government Information Minister Sharjeel Memon immediately contacted Ansar Naqvi to express his support and promised to put a police mobile security detail outside his home. But according to Naqvi this was never provided and the only security protection he received was from his employer.

Members of Pakistan's journalist community also met with federal Interior Minister Pervaiz Rashid to discuss the threats, although Ansar Naqvi told Amnesty International that he had little hope that the authorities would bring the perpetrators to justice. "If I had brought a formal complaint against the ASWJ this would put my family at risk [because] the authorities will ask the perpetrators about the allegations but not prosecute them."<sup>80</sup> In fact, Naqvi

believes the fact that he went quiet following the incident, and that Geo colleagues with good relations with ASWJ spoke to them on his behalf, were the reasons why the threats eventually dissipated.

The ASWJ has been implicated in scores of killings of political and religious group rivals. Some of their activists have been or are in the process of being prosecuted by the authorities, although like other political activists implicated in violence in Karachi, few are convicted or brought to justice in a fair trial. Given that Ansar Naqvi had been publicly outed as a Shi'a Muslim and accused of being an agent of the Iranian government before a crowd of thousands of ASWJ supporters openly hostile to Shi'a Muslims, his fears were well-founded. Ansar Naqvi went into hiding and was advised by senior state security officials to remain away from his home.

Amnesty International spoke to ASWJ's Aurangzaib Farooqi about the speech he gave. "Due to his [Naqvi's] improper attitude I give the statement," Farooqi admitted. But he claimed that ASWJ was not responsible for the threats to Naqvi. "We have not given any threats to anybody, nor do we believe in giving threats to anyone. We have checked the issue on our part. Our people have protested against the injustice done to us and not giving us coverage but we have not given any threats."<sup>81</sup> As far as Amnesty International is aware, no investigation has been carried out into the threats against Ansar Naqvi or the events around the Guru Mandir rally.

Several Karachi-based journalists told Amnesty International about the daily pressure they face from religious groups like the ASWJ and its rivals. As Sohail Khattak of the Express Tribune newspaper explained,

*ASWJ is Deobandi [Sunni Muslim] and MWM [Majlis-e-Wahdat-e-Muslimeen] is Shi'a [Muslim]. Yesterday, two Sunni clerics were killed in Sachal Goth, outside a madrassa, at around 9:30 in the morning. After that, a Shi'a cleric was leaving the Education Board Office in Nazimabad, and he was targeted and killed. Then two Sunni Deobandis were targeted outside a madrassa. One survived, one died. They were supporters of ASWJ. Then in North Karachi, a Shi'a boy from Imamiya Student Federation was killed. Now, if you have to cover these stories, you need to decide which to do first. Which story do you write in the first paragraph and which in the second? Either way one of these groups will be offended.*<sup>82</sup>

Aftab Waseem (not his real name), a journalist working for a foreign media outlet in Karachi echoed these concerns. "We are constantly under pressure or threat from sectarian religious and armed groups. For example, once I received a threatening call from one of Lashkar-e-Jhangvi's media people [Lashkar-e-Jhangvi is closely associated with the ASWJ]. He complained, 'why aren't you broadcasting our point of view?' When Waseem asked the media spokesperson what he wanted him to report on, he replied, "any operation we conduct, you are not telling the public why we done this operation." Waseem explained that this the spokesperson meant, "whenever they carry out an attack on the Shi'a community, the BBC must publish their official statement justifying it or face the consequences." In contrast, Waseem said, if his outlet does publish statements justifying attacks on Shi'a Muslims, he and other staff occasionally receive threatening messages from Shi'a religious groups. "I might receive a text message or a call [from the spokesperson] asking why we are promoting these anti-Shi'a groups. Always you have to be careful about these sensitive issues."<sup>83</sup>

Several other journalists across Pakistan also told Amnesty International about threats they received from Lashkar-e-Jhangvi (LEJ) because of their reports on the groups attacks on the Shi'a Muslim community or, like Ansar Naqvi, because they were themselves Shi'a. One newspaper editor shared her experiences of receiving regular threats from the LEJ over the publication's coverage of the group. A letter to her from the LEJ's 'divisional commander' for Lahore, copied to the group's 'Targeting District Commander', said:

*Nowadays your newspaper policy is against us. It is being continuously propagated against us that we are the enemies of this country ... Therefore your editorial staff will have to pay the heavy price for this ... your editor is a Shia anyway but he never talked about us till now therefore he survived. The deputy editor has little kids. [Another member of the editorial team] seems Shia from his name and he should think about his only son ... We have done our investigations about all of your staff, therefore you too should wait for the bullet and for being killed.<sup>84</sup>*

Over the last two years, LEJ has become one of the most feared armed groups in Pakistan and has claimed responsibility for bombings and killings that have killed hundreds of people in Karachi, Quetta and Punjab province.<sup>85</sup> As noted in more detail in section 5.1 below, Punjab police claim that members of the LEJ were responsible for the assassination attempt on journalist Raza Rumi in Lahore. However, as far as Amnesty International is aware no member of the LEJ has ever been brought to justice for the harassment or killing of a journalist.

#### 4.3 ABDUCTION AND TORTURE OF ALI CHISHTI

The national security correspondent for the Friday Times magazine, Ali Chishti, was abducted and tortured by police on 30 August 2013. He was driving home in the evening when his car was stopped by a police mobile with seven men, six in uniforms and one in plain clothes. "They were blunt and upfront," Chishti told Amnesty International.<sup>86</sup> At gunpoint they forced him and his driver into the police car and blindfolded them both. After a few moments the vehicle stopped and another unknown person got in and told the police to remove his driver. The police took Ali Chishti's watch, wallet and cell phone and then continued to drive again, all the while taunting him with comments like, "You thought you could get away." Eventually he was transferred into another vehicle. "After a good 15-20 minutes I was brought into what appeared to be a mansion. The gates opened and I was taken into a room blindfolded [with] my hands, tightly tied," he recalled. For the next 10 hours Chishti was repeatedly beaten by several men. They also repeatedly cursed him and his manager at the Friday Times, Najam Sethi, an outspoken critic of the military and the MQM, who has also faced death threats and been subjected in the past to abduction and torture.<sup>87</sup>

Afterwards Ali Chishti was driven a short distance to Khaban-e-Ittehad, Defence House Authority Phase 8, where a local police contingent came to assist him and located his car in a neighbouring suburb. Chishti registered a complaint with the police and his case received significant media attention after he went public about the ordeal. He immediately fled Karachi and later discovered that unknown men in police uniform continued to visit his

offices asking staff for his whereabouts. "I believe the police are working for someone else, they are not acting alone," he told Amnesty International. Ali Chishti demanded that the authorities carry out "a full investigation, leaving no stone unturned."

In none of these cases from Karachi was a credible investigation carried out, and no perpetrators of the threats or attacks have been brought to justice in fair trials.



Ali Chishti following his abduction and torture by police. He believes he was targeted because of his reports on the controversial activities of political parties and state security authorities. © Ali Chishti

## 5. IN THE FIRING LINE ON THE FRONTIER

Northwest Pakistan is one of the most dangerous places in the country for journalists. At least nine people have been killed in the area since the restoration of democratic rule in March 2008 in response to their work. The national total for the same period is 34. Mired in lawlessness, insurgency and conflict for over a decade,<sup>88</sup> northwest Pakistan and particularly the Tribal Areas have been the staging post for the Taliban, al-Qa'ida and other armed groups responsible for abductions, killings and bombings across Pakistan and neighbouring Afghanistan. It has also been claimed that the region has been used by armed groups to prepare and facilitate attacks in China, Europe and the USA.<sup>89</sup> For these reasons, northwest Pakistan is a region of significant interest to the national and international media, and local media workers are under significant pressure to deliver hard-hitting reports from the most conflict-ridden and dangerous areas. Journalists in northwest Pakistan face harassment, intimidation and attacks from Pakistan security forces, the Taliban and other armed groups to silence or influence their reportage. Journalists reporting on human rights abuses by state and non-state parties to the conflict or local communities are especially at risk. "The biggest taboo topics in the Tribal Areas are honour killings and reports of casualties by [Pakistan] security forces or the [Taliban] militants. Journalists avoid reporting on these issues out of fear they will be killed by tribal groups or security forces and the Taliban," said Rehmatullah Darpakhel Dawar, a journalist abducted by an al-Qa'ida linked armed group whose case is documented in detail below.

There is a lively media civil society in northwest Pakistan, with scores of press clubs and regional unions actively seeking to promote the rights of working journalists. But the number of journalists working directly in the violent and conflict-affected areas and especially in the Tribal Areas has markedly decreased over the last seven years. Many journalists who spoke to Amnesty International said the abduction of journalist Hayatullah Khan in North Waziristan on 5 December 2005 was the moment when conditions started to become progressively deadlier for media professionals.<sup>90</sup> Hayatullah Khan was found dead in Miran Shah, North Waziristan, six months later on 16 June 2006. The day before his abduction, Khan had photographed what appeared to be fragments of US-manufactured missiles believed to have hit the home of al-Qa'ida leader Hamza Rabia. As the CPJ noted, "The pictures [taken by Khan] ... contradicted the Pakistani government's explanation that Hamza Rabia had died in a blast caused by explosives within the house." To this day, Hayatullah Khan's relatives and colleagues believe he was abducted and killed by state security personnel because of these photographs. Although a judge of the Peshawar High Court carried out an investigation into the death, the findings of his report have never been made public. Today it is arguably even deadlier for journalists in northwest Pakistan as underscored by the killings of Malik Mumtaz, detailed below, and other journalists like Mukarram Khan Aatif, Musa Khankhel and Hayatullah Khan<sup>91</sup> because of their reporting on sensitive aspects of the conflict in the region.

## 5.1 TEHREEK-E-TALIBAN PAKISTAN: THREATS ON THE FRONTIER AND BEYOND

**“Yes, Geo TV, Sama TV, ARY and Express News, Deewa radio, Mashal radio, Azaadi radio, Radio Aap Ki Dunya and BBC's reporters should be targeted in general and other journalists who are harmful should be dealt with in specific order.”**

Khalid Haqqani, Central deputy leader of the Pakistani Taliban in a fatwa of 8 December 2012

The Pakistani Taliban has claimed responsibility for bombings and assassinations that have killed tens of thousands of people across Pakistan for over a decade, and have often specifically targeted journalists. Following public outcry against the group's assassination attempt on the school pupil and education rights activist Malala Yousafzai in October 2012, the Pakistani Taliban issued a fatwa (decree) against journalists covering the incident and her recovery in hospital.

Along with Malala Yousafzai and her fellow classmates, journalists known for their coverage of the attack and her activism felt particularly at risk from the Taliban. “Ever since their fatwa I've moved home [and] don't travel very much”, said one journalist who was known within Pakistan for his coverage of Malala Yousafzai.<sup>92</sup> On 19 October 2013 another group called Shura Ulema-e-Mujahideen reissued the fatwa. The Pakistani Taliban said they were not responsible, but their spokesperson Shahidullah Shahid said certain UK and US media outlets would be targeted because of their “vulgarity” in promoting “anti-Taliban propaganda” and a “Western secular agenda”.<sup>93</sup>

While the Pakistani Taliban leadership is primarily in the Tribal Areas in northwest Pakistan, its members and affiliates are active across Pakistan. This makes the group particularly dangerous, as several journalists living and working well away from northwest Pakistan have discovered. For example, minutes after Rana Muhammad Azeem, the President of the Pakistan Federal Union of Journalists, condemned the Pakistani Taliban attack on an Express TV crew in Karachi on 17 January 2014 in which three journalists were killed (see below) he received a call from a man claiming to be from the Taliban. “He scolded me for speaking out against them and told me ‘a bullet has been chosen for you’,” Azeem, who was in Lahore at the time, recalled. A few hours later, Azeem received another call from an unknown person who warned him to “be ready for a bloody fate.” He continued to receive calls from the second person throughout that evening but did not answer his phone. Azeem immediately contacted senior police officials and the Ministry of Information who told him to remain vigilant while they investigated the threats further.

**“When it is already defaming us, we really don't have much to lose and may as well deal with the media as a party to this war.”**

Pakistani Taliban media committee member

The next morning Rana Muhammad Azeem joined other journalists at the Lahore Press Club for a protest against the Express TV crew killings. “I was leading the procession [from the Press Club] to Punjab Assembly [the provincial parliament] ... when near Charing Cross I received a call from an unknown number. The caller said, ‘why did you arrange this rally? You

are in our cross-hairs. We can see you where you are standing. Be ready to join your murdered journalists'."<sup>94</sup> Azeem immediately informed the police present at the procession who formed a protective shield around him until it ended. "All this while I waited for a whizzing bullet to hit my head or heart. It was a terrible state to be in but I vowed not to flee." The following day police informed Azeem that they had traced the calls to "Taliban sources" and registered a complaint against them. He was advised to limit his travel and remain at home as much as possible.

After two days, Azeem received another call from an unknown number with an Afghanistan international code. "The caller is menacing and angry. He says he is from the Taliban and that I should know they keep tabs on me – at what time and where I drop my daughter to school, the car I use and the routes I take to school and work. He said they had formally recognized me as an enemy of the Taliban and that I should be ready to pay the price for this." The following day, 22 January 2014, Azeem learned that his name was on a list of "anti-Taliban" journalists issued by the Pakistani Taliban which the group considered to be their enemies, effectively placing him and others on a hit-list. As Azeem told the media rights activist Adnan Rehmat, "My heart sinks. Not because my name is there but because I remember from the night earlier that they threatened to hurt my children."<sup>95</sup> When asked about the fatwa against journalists, a member of the Pakistan's Taliban's media committee told Dawn newspaper, "When it is already defaming us, we really don't have much to lose and may as well deal with the media as a party to this war."<sup>96</sup>

## **EXPRESS MEDIA GROUP ATTACKS**

Around 6:00am on 6 April 2014, unknown men threw hand grenades at the house of Jamshed Baghwan, Peshawar bureau chief of the Express News media outlet. Although no one was injured, the attack alarmed Baghwan and his young family, who were sleeping inside the house at the time. Jamshed Baghwan had narrowly escaped an earlier attack on 19 March when people in his neighbourhood spotted a bomb planted outside his home. The Peshawar Bomb Disposal Squad diffused the two kilogram explosive.<sup>97</sup>

These were the latest in a string of attacks on the liberal media outlet, known for its reports on human rights and social issues. Over the last six months there have been at least five attacks on the Express Media Group's offices or journalists associated with it, including three in Karachi and one in Lahore. The Pakistani Taliban claimed responsibility for the deadliest of these, the deaths by shooting of three members of an Express News television crew in Karachi in early 2014. But no one has claimed responsibility for any of the other four attacks and none of the perpetrators of these four attacks or the attempted bombing have been brought to justice.

On the afternoon of 27 March 2014, Express News television host and human rights defender Raza Rumi contacted Amnesty International to register reports that his name was on a Pakistani Taliban hit list. "I'm not sure if it's real or just an attempt to silence me, but I'm very concerned," he told Amnesty International.<sup>98</sup> The next day, between 8:38pm and 8:45pm, while driving home after completing his weekly television programme in the city of

Lahore, Rumi's car was sprayed with bullets. Sitting in the back of the car, "I instinctively ducked under the seat" he said, while glass shattered all around him. His driver Muhammad Mustafa was killed in the hail of the bullets as the car continued to lurch until hitting an electrical pole. Rumi narrowly escaped with his life and suffered only minor injuries. But Anwar Hussain, a security guard in the car with him, hired as protection following the threats, received serious gunshot wounds and was paralyzed.

"I appeal to the government to provide me security and not let me remain a victim of an ideology asserted with bullets and bombers," Rumi wrote in an article the day after the incident.<sup>99</sup> According to security officials, at least six men were involved in the assassination attempt. Police advised him to shift out of his home and remain indoors, saying that they could not guarantee his safety on the streets of Lahore. The following week, the National Assembly Standing Committee on Information, Broadcasting and National Heritage ordered the Punjab police to update them on their investigation. On 18 April 2014, Punjab police issued a statement that they had arrested six men in connection to the attack and several other assassination attempts and targeted killings in Lahore. Police claimed that the men belonged to LEJ. Police also claimed that the men confessed to having received their instructions from Malik Ishaq, an LEJ leader and vice-president of ASWJ. Ishaq has served over a decade in prison on murder and terrorism charges until the cases against him collapsed amidst allegations that prosecution witnesses were killed or intimidated into silence. As noted in section 4.2 above, several journalists across Pakistan told Amnesty International about receiving threats of abuse from the LEJ and other religious groups that share its ideology because of their reporting on human rights issues. However, at the time of writing, Amnesty International is not in a position to verify the Punjab police's claims regarding the attack on Raza Rumi.

A former civil servant, economist and director of the Jinnah Institute – a liberal think tank focusing on minority rights, extremism and political issues – Raza Rumi is one of a handful of prominent journalists to speak out about increasing attacks on human rights defenders, the encroachment of the Pakistani Taliban and its social policies in Pakistan society, and the situation for religious minorities. He told Amnesty International that he frequently received threatening messages on Twitter and Facebook because of his work on these issues.



One of the several threats received by Raza Rumi via Twitter and other social media because of his journalism on human rights.

Rumi believes this is why there was an attempt on his life:

*my views, I am told, are dangerous and invite trouble ... is raising the issue of minority rights unacceptable? ... I have written a book on the shared history of India and Pakistan and this irked some. I have argued for rational engagement with the West and the outside world and that is not kosher.*<sup>100</sup>

On 16 August 2013, four men on two motorbikes drove past Express News' Gulshan-e-Iqbal office and sprayed it with gunshots, injuring security guard Mir Ali who became paralyzed from the waist down. Raheela Zohair from the company's marketing department sustained a bullet wound to her thigh.<sup>101</sup> A second attack on the Express offices occurred on the evening of 2 December 2013 when unknown assailants fired shots and threw improvised explosive devices towards the entrance. "It made a loud noise and when the cracker exploded it threw out pellets. Some cars parked outside got damaged and three people got injuries but thankfully none of them were serious," recalled Kamal Siddiqi, editor of the Express Tribune newspaper.<sup>102</sup> No one claimed responsibility for either attack.

After these incidents, the Express management requested protection from the authorities and a detachment of Sindh police was provided to guard the entrance to the offices. Preliminary investigations were also carried out by the police and other security authorities. Management representatives conceded to Amnesty International that such protection was mostly for morale and could not guarantee staff safety, which they believed could only be secured if those responsible for the attacks were caught.

The following month, on the evening of 17 January 2014, three members of an Express TV crew – Waqas Aziz, Khalid Khan and Ashraf Yusuf – were killed in the North Nazimabad neighbourhood when their van was sprayed with gunfire by unknown assailants on motorbikes. A representative of Express Media Group told Amnesty International,

*the government is failing to protect us in two ways. First, the police should at least investigate. It's very easy for us to say that it's the Taliban or someone else. But they should investigate the attacks in a proper manner, find out who fired those shots. They have the means and resources to do it. The second is the government's attitude towards the attacks. The federal officials, the Sindh government officials. They all come to condole. But it's all lip-service but not much else happens. Until you bring the culprits to justice they are free to keep doing these attacks.*<sup>103</sup>



Ashraf Yusuf (left), Khalid Khan (middle), and Waqas Aziz, three members of an Express TV crew killed the evening of 17 January 2014 in Karachi's North Nazimabad neighbourhood when their van was sprayed with gunfire by unknown assailants on motorbikes. © PFUJ

In a nationally broadcast interview on one of Express TV's flagship programmes, the Pakistani Taliban's Ehsanullah Ehsan said the group took responsibility for the killing of the television crew. He said the attack was carried out because, "the Express TV and international media are playing the role of [enemies and spreading] venomous propaganda against Tehreek-e-Taliban inside and outside the country. We ... warn the media once again to side with us and end this venomous propaganda ... Otherwise we will continue targeting them."<sup>104</sup> In response to these clear threats, broadcast live across the country Express TV's Javed Chaudhry said the network promised "not to make any propaganda against you" and that they would give the Taliban "proper coverage". A day after the attack Express management issued a directive to staff to temporarily suspend reports across all platforms critical of the "militant organization and its allies", "condemning any terrorist attack" or "against TTP or its statements".<sup>105</sup>

Such self-censorship is almost inevitable. Not only do the Pakistani authorities fail to provide any form of protection for journalists and media houses in Karachi, neither do they initiate any credible investigations into threats and attacks against journalists. As far as Amnesty International is aware, no one has been brought to justice for the killing of Express TV's Waqas Aziz, Khalid Khan and Ashraf Yusuf or the attacks on the Express offices. In none of the cases mentioned above was a credible investigation carried out, and no perpetrators of the threats or attacks have been brought to justice in fair trials.

## 5.2 ABDUCTION AND ILL-TREATMENT OF REHMATULLAH DARPAKHEL DAWAR

Rehmatullah Darpakhel Dawar, a correspondent for the Aaj television news network and Ausaf newspaper in insurgency-hit North Waziristan, was abducted by unknown men on 11 August 2011. He was released after 63 days on 12 October. The former Vice-President of the Tribal Union of Journalists, Dawar is an experienced journalist who has built a reputation over the years for fair and balanced coverage of the region. He was brought up in an area that is home to a number of Taliban and al-Qa'ida linked groups and was one of the few to report on North Waziristan tribal agency with genuine knowledge and access in one of the most active and dangerous frontlines in the ongoing conflict in northwest Pakistan.

"It was the month of Ramadan, so I was fasting and preparing to break my fast for the day. I was buying vegetables for the evening's *ifthar* meal from the market in Miranshah (North Waziristan)," he recalled.<sup>106</sup> "I saw five people come at me but later people at the market who witnessed my abduction that evening said about 30 people (in total) were involved." The perpetrators drove up to Dawar as he was in the market in an unregistered Toyota Corolla Swift sedan model. According to Dawar and other locals, the car was of a kind that was common in neighbouring Afghanistan but not in Miranshah. Five men wearing balaclavas and dark clothes leapt out of the vehicle and started firing their rifles in the air. "Some of them grabbed me, covered my face with my Pashtoon hat, tied my hands behind my back and put me in the boot of their car," Dawar said. "It all happened very quickly."

The vehicle quickly sped away from the market. "I'm not sure where I was taken, whether I was still in Pakistan or in Afghanistan, the border is only 15 minutes away. But I was certain they would kill me," Dawar told Amnesty International. From the market the vehicle drove continuously for four or five hours, then came to a sudden stop, and he was dragged out of the boot. "I had moved my cap off my face but as soon as they took me out they put a band over my eyes again. I asked for some water, I had not yet broken my fast from that morning and was extremely thirsty. They gave me some water and asked if I wanted some rice, but I didn't eat it, I was too scared. From the moment I started my fast [on 11 August] until the next 48 hours I didn't eat anything."

Dawar was dragged into a small room where his arms were tied behind his back at the wrists with what felt like rope. They then strung him up from the ceiling. "The pain was excruciating," he said. The abductors then proceeded incessantly to ask questions about his family, who he was related to, and where he obtained information about specific clashes and US drone strikes in North Waziristan. "They asked me, how do you find out about the drone attacks and how many people were killed so quickly?" The next and subsequent days they asked him, "Who are you working for? Where do you get your information from? How can you get information on drone strikes so quickly?" They also asked him detailed questions about his relatives and the people with whom he worked as a journalist. "They asked me these questions repeatedly. I answered all their questions and maintained my innocence. They accused me of being a spy and I said I am not a spy."

Dawar said the perpetrators' methods were extremely organized and they were careful not to show their faces. "It was difficult to know who had taken me. All the interrogators spoke Pashto but always I heard different dialects. Sometimes I heard someone speaking with an

Afridi dialect, sometimes Bajauri, but never the same person spoke [in successive interrogations]. So I had no idea who they were. Whenever they would return to his cell Dawar was ordered to cover his face with his hat, "so I didn't see any of their faces the whole time I was in detention." Dawar remained in the same room for the duration of his captivity and was only allowed to leave it briefly each day to use the bathroom.

"They treated me like this for 30 days, hanging me up by my wrists behind my back and repeatedly asking me the same questions ... Every day I thought would be my last." Eventually, Dawar's brutal interrogations ended and he was left to sit, broken mentally and physically, in the cell. Thirty three more days passed before he was finally released.

"When they were releasing me, I asked, 'What crime did I commit for keeping me for 63 days?' One of the men just said 'Sorry, we made a mistake.' On the early evening of 12 October 2011, they brought Dawar to a car and covered his face, and after around four hours of driving dropped him near his house at approximately 10pm the same day. 'The mistake was that they thought I was a spy, but after 63 days of torture they realized I am not spying. They even returned all my possessions, including 350,000 rupees, my pens, diaries and gifts I had bought for children and other relatives [for the Muslim holiday of Eid-ul-Fitr which was to be celebrated days after the evening in August 2011 he was abducted], and medication I bought for my father.'

Dawar claims he has no idea who the perpetrators were. But several residents of Miranshah district where the incident occurred told Amnesty International that it was widely believed that he was abducted by Mujahideen Khorasan – an al-Qa'ida-linked group that undertakes counter-intelligence to prevent fighters and leaders from being targeted by US and Pakistan forces. This group has quickly turned into one of the most feared groups in North Waziristan. "The group's main function is the identification and elimination of spies," a resident of Mir Ali, where the group is very active, told Amnesty International. "They have killed dozens of people accused of spying in North Waziristan."<sup>107</sup> Over the last three years, residents of North Waziristan have told Amnesty International that bodies are routinely seen dumped by the side of streets in villages and towns with written messages. "They usually say something like 'anybody else accused of spying will meet the same fate'," a resident said. Mujahideen Khorasan and other groups also put up threatening posters on walls and market buildings in different towns of North Waziristan, warning people not to carry out espionage for US drone strikes.

Journalists who report on the area invariably find themselves suspected of supporting one of the parties to the conflict and become caught up in the violence. Dawar believes his reporting on US drone strikes, however balanced and accurate, was the reason for his abduction. Although the armed group apologized for his ordeal, he has had to flee North Waziristan with his large family out of fear of being targeted again. Dawar has also suffered physically, with severe swelling in his arms, knees and ankles, due to the abuse he suffered in captivity. "I have to spend a lot of money on medication for my ailments," he told Amnesty International. Dawar said he often has trouble sleeping at night and his family believes he is suffering significant mental health problems. The conflict in North Waziristan has also had a severe financial impact on Dawar and his family. "I owned 18 shops [in North Waziristan], all have been destroyed by the conflict." Once a respected journalist, small business and property owner, and senior member of a powerful tribe, Dawar now lives in retirement with his 10

children.

According to the Pakistani authorities contacted by Amnesty International, no one has been arrested let alone brought to justice for the abduction and ill-treatment of Rehmatullah Darpakhel Dawar. While officials responsible for the civil administration of North Waziristan would not speak on record, one representative did acknowledge that victims of human rights abuses perpetrated by Mujahideen Khorasan and other armed groups had "practically no chance" of ever receiving justice for their ordeal.<sup>108</sup>

### 5.3 KILLING OF MALIK MUMTAZ

On 27 February 2013, Malik Mumtaz, a respected journalist working for Jang group, was shot dead near Chasma Pul in North Waziristan's Sarbanki area. He was driving home from a funeral when unidentified persons fired at him from an unregistered white car. He died at the scene from bullet wounds to the chest and neck. Villagers who witnessed the killing said they later found a magnetic bomb stuck to the bottom of Mumtaz's car and believe it was an improvised explosive device that had failed to detonate, suggesting that significant efforts had been made to murder him. Following the killing, a political officer of the North Waziristan Political Agent, the seniormost civil authority in the tribal agency, filed a Daily Situation Report. According to the report, of which Amnesty International has seen a copy, the political officer noted that he was "conducting an inquiry through various sources" regarding the killing and would provide further information to the authorities following his investigations. However, Amnesty International was unable to determine if any further criminal investigations were carried out and no one has been arrested, let alone charged, prosecuted or convicted for killing Malik Mumtaz.

Unlike many other cases of journalist killings in the Tribal Areas, no one has claimed responsibility for attacking and killing Malik Mumtaz. A cross section of North Waziristan society attended his funeral and both the Pakistani Taliban and state civil and military officials condemned the killing.<sup>109</sup> According to his family, friends and colleagues, Mumtaz did not receive any direct threats prior to his killing, nor had he complained about feeling that his life was in danger.

Malik Mumtaz's killing surprised many. He had recently been elected president of Miran Shah Press Club, the largest journalists' representative body in his district. He was also a local tribal elder who often arbitrated over disputes because of his reputation for independence and concern for the local community. According to his family and colleagues, he was on good terms with everyone in the volatile and conflict-ridden tribal agency – a necessary part of working in the Taliban-insurgency hit Tribal Areas where journalists must walk a tightrope, ensuring they do not displease either the Pakistani military or the Taliban and other armed groups.

"It is a dangerous place to be a journalist because the Army and the Taliban, both do not spare you," one of Mumtaz Malik's colleagues in North Waziristan told Amnesty International. "[For example] both the forces and the militants do not like you describing the other group's

casualties as martyrs, but both want their dead to be called martyrs. Tell me, how can a journalist avoid trouble and make such people happy?" Although Mumtaz was noted for his balanced reporting and good relations with both state authorities and the Taliban, the very nature of reporting on North Waziristan required him, like all other journalists, to cover a range of sensitive issues including US drone strikes, casualties of Pakistan forces and bombings by the Taliban. All of these topics can create suspicion and anger among these actors that the journalist is exposing their misdeeds or weaknesses. The Taliban and other armed groups are deeply suspicious of local residents working as spies for Pakistan or the United States, and as in the case of Rehmatullah Darpakhel Dawar,<sup>110</sup> journalists reporting accurately on matters like US drone strike casualties risk abduction, ill-treatment and death at the hands of armed groups who may suspect they are spies.

Some of Mumtaz's colleagues told Amnesty International that he may have been killed by members of Pakistan's military or intelligence services because of an investigation he was carrying out into the illicit trade in ammonium nitrate between the borders of Pakistan and Afghanistan. Ostensibly used as a commercial fertiliser, ammonium nitrate is also a key ingredient for improvised electronic devices used by the Taliban against Afghan and international forces in Afghanistan. Under pressure from the USA, the Pakistan government has at times banned the sale of ammonium nitrate to Afghanistan.<sup>111</sup> While it is difficult for the authorities to clamp down entirely on the illicit sale of ammonium nitrate across the Afghanistan-Pakistan border, the Pakistan government has been accused by US, Afghan and other officials of colluding in this trade because of its alleged secret support for the insurgency in Afghanistan.

A few days prior to his death, Mumtaz filed a television bulletin for Khyber News on trucks in North Waziristan carrying ammonium nitrate into Afghanistan. Colleagues of Malik Mumtaz agreed that any report of this kind would have, in the words of one journalist, "raised red flags" with the military and possibly elements of the Taliban.<sup>112</sup> "[If] Mumtaz had uncovered evidence that the Army was letting the Taliban smuggle ammonium" and made this public, said one veteran journalist familiar with the situation in North Waziristan, "that would definitely have caused problems."<sup>113</sup>

At time of writing, there remains little concrete evidence to implicate the Pakistani military, the Taliban or others directly in the killing of Malik Mumtaz. Pakistani security authorities told Amnesty International they rejected any claims against the military. An official said Malik Mumtaz was most likely killed due to the Taliban or a local tribal dispute and the case deserved further investigation.<sup>114</sup> Taliban representatives in Miran Shah, the district where the incident occurred, also denied any involvement in the killing.<sup>115</sup>

The Political Agent for North Waziristan lodged a Daily Situation Report that stated the time, date and location in which Malik Mumtaz was killed. If any further investigation was carried out by the authorities, Mumtaz's family was certainly not notified. Following the killing, the then President of Pakistan, Asif Ali Zardari, announced one million rupees' compensation for the family,<sup>116</sup> but they told Amnesty International they have not received financial support from any state authorities. According to Mumtaz's family, his former employer Jang Group (who also own Geo TV), the largest private media company in Pakistan, had not assisted them in any way even though he was the sole breadwinner and was one of the outlet's main reporters in this dangerous and important region. At the time of writing, no one had been

arrested, let alone brought to justice for the killing of Malik Mumtaz. The Pakistani authorities must ensure that any investigation being carried out is thorough, independent and impartial and also investigates the possibility of military and intelligence services involvement in the killing.

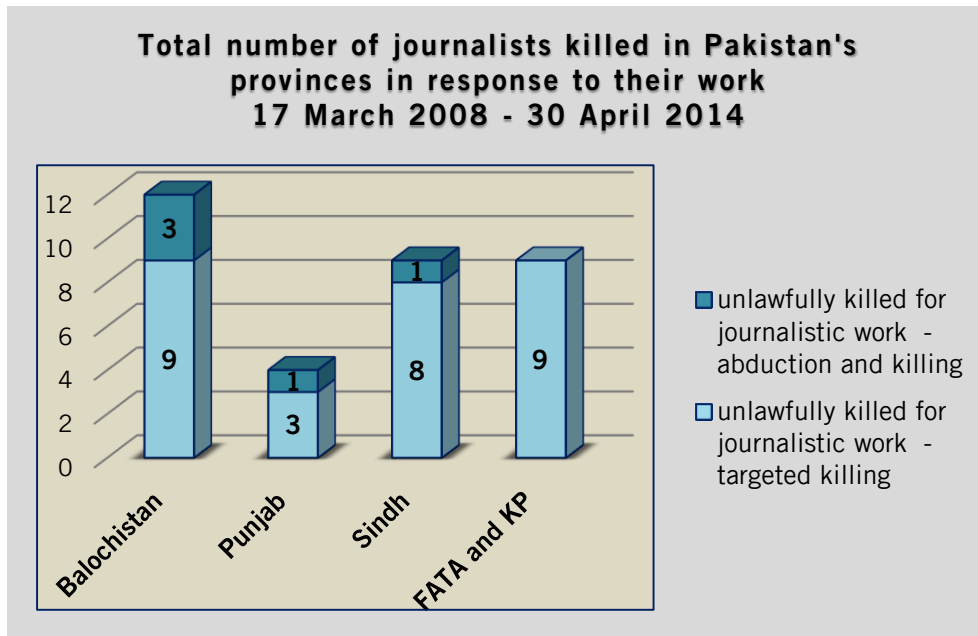
As Mumtaz's case demonstrates, there are particular difficulties for journalists operating in a conflict situation, as they are often perceived by the parties to the conflict as another target, or as spies for the other side. International humanitarian law is clear that civilian journalists must be respected and protected, with attacks against them being unlawful due to their civilian status.<sup>117</sup> These principles have also been reiterated by the UN Security Council resolution on journalists in armed conflict in 2006.<sup>118</sup> The UN Special Rapporteur on freedom of expression has specifically noted that, "The civilian status of journalists transcends any type of contractual arrangement that the journalist may have; equal protection is granted to freelance, independent or to journalists belonging to any media."<sup>119</sup>

## 6. BALOCHISTAN: CAUGHT BETWEEN THE STATE AND SEPARATISTS

“There is no security and no one is safe, neither journalists nor political workers and the businessmen. People are worried. Routes have become unsafe. Travelling via road from Quetta to Karachi and other cities within and outside the province has become very dangerous. There is the Baloch insurgency in the Baloch areas on the one hand and the rise of Talibanization in the Pashtun areas on the other. Some NGOs are threatened by the Taliban in Quetta. In short, the overall situation is terrible.”

Ayub Tareen, BBC Urdu services' Balochistan correspondent

Balochistan, the largest but most sparsely-populated province of Pakistan on the border with Iran and Afghanistan, is one of the most dangerous places in the country to be a journalist. This is a significant benchmark given the high risks faced by media professionals across the country.<sup>120</sup> Several reporters, cameramen and other media workers have been killed as a result of bombings targeting processions, neighbourhoods of particular religious groups or state security forces. However, journalists have also been subjected to targeted harassment and other abuse in direct response to their work. Those who report on alleged human rights abuses by state security forces and non-state armed groups in the province are particularly at risk. Amnesty International research reveals that at least 12 journalists have been killed because of their work as journalists in Balochistan in the last six years alone – slightly over a third of all journalist killings cases in Pakistan during the same period.



Journalists are particularly at risk for seeking to report on human rights abuses in the province. "There are a lot of reports about human rights violations in Balochistan. When a missing person is killed, for example, journalists cannot write about who is behind these incidents, or even who are the people killing journalists," said veteran Quetta-based journalists and media rights activists Shahzada Zulfiqar.<sup>121</sup> As the Balochistan Union of Journalists (BUJ) noted in July 2012, "Impartial journalists have been under pressure from separatists, religious and political parties and government institutions to publish their statements as it is and according to their will."<sup>122</sup> Those words are equally applicable today. For example, journalist Hamid Mir (whose case is documented in section 3.1 above) claimed the ISI was trying to kill him because of his work highlighting alleged enforced disappearances and extrajudicial killings carried out by the military in Balochistan.<sup>123</sup> Several journalists within Balochistan told Amnesty International about the constant risks they face for seeking to carry out similar work.

In January 2014, the Balochistan Chief Minister Dr Abdul Malik Baloch ordered a judicial inquiry into the number and circumstances of journalist killings. On 18 February 2014 the Balochistan Home and Tribal Affairs Department wrote to the Balochistan High Court to nominate a District and Sessions Judge to conduct a judicial inquiry into the killing of journalists in the province between 2011 and 2013. However, senior lawyers in Balochistan expressed their concern to Amnesty International that a judge at this level would not have sufficient power to carry out an adequate investigation given the wide spectrum of threats faced by journalists in Balochistan from powerful elements of the state and non-state armed groups.<sup>124</sup> All of the of the journalists from Balochistan interviewed by Amnesty International said they had little hope the inquiry would adequately investigate the military, which continues to operate beyond the reach of the law in the province.

## 6.1 KHUZDAR: A GRAVEYARD FOR JOURNALISTS

Khuzdar, the second largest city in Balochistan, is one of the most violent parts of the province where reports of human rights abuses by state and non-state perpetrators are routine. RWB has termed Khuzdar district as one of the 10 most dangerous places in the world for journalists.<sup>125</sup> Amnesty International research reveals that at least six journalists have been killed in Khuzdar because of their work since the return of formal democratic rule in 2008 – half of all such killings in Balochistan during this period. State security forces, which have a significant presence in the city, along with pro- and anti-state armed groups, have been implicated in threats and attacks against journalists for reasons including their ethnicity, political views or affiliations. The perpetrators subject victims to abduction, torture and other ill-treatment, and unlawful and extrajudicial killing. Journalists have often been caught between rival ethnic Baloch armed groups either advocating the separation of Balochistan from the state of Pakistan or supporting the state. Journalists are particularly at risk if they are perceived as being too sympathetic to the rival group or not giving sufficient coverage to one side. "If some report mentions the BNA [a separatist armed group] they will call or send me an SMS, that is how we know to stop or we will be killed," one Khuzdar journalist told Amnesty International.<sup>126</sup>

A measure of the risks faced by journalists in Khuzdar is the number of attacks on representatives of the main local media body, the Khuzdar Press Club, and their relatives. In 2008 the Balochistan Liberation Army (BLA) claimed responsibility for a bomb attack on the Club's offices. On 14 August 2011, Pakistan's Independence Day, journalist Munir Ahmed Shakir was shot dead by unknown assailants on a motorcycle as he left the Press Club, hours after reporting on an ethnic Baloch nationalist protest against the Pakistan state. Although no one claimed responsibility for the killing, colleagues and relatives of Shakir told Amnesty International they accused the pro-state Baloch Musallah Difa Army (BMDA) of responsibility for his death.<sup>127</sup> The BMDA has been accused of perpetrating targeted killings of several individuals including human rights activists and those advocating ethnic Baloch separatism across the province.<sup>128</sup> Four months later, on 14 December, the President of the Khuzdar Press Club, Muhammad Khan Sasoli, was also gunned down by unknown men on a motorcycle. Colleagues claim the killings were aimed at discouraging journalists from reporting on the dire human rights situation in the area.

The following year, in September 2012, ARY TV correspondent Abdul Haq Baloch, then Secretary-General of Khuzdar Press Club, was shot dead by unknown assailants as he was driving home from the club, just metres away from its offices. Colleagues told Amnesty International that Baloch had been threatened by the BMDA the previous year and they believed the killing was a response to his work highlighting alleged enforced disappearances by state security forces. On 26 October 2012, two sons of then president of the Khuzdar Press Club Nadeem Gurjinari (also known as Allah Baksh) were killed in a drive-by shooting by unknown men on motorcycles. Siraj Ahmed Khan, aged 25, died instantly while Manzoor Ahmed Khan, aged 22, died of his injuries in a local hospital the next morning.

The killing of journalists in Khuzdar has continued into 2014. Ijaz Ahmed Mengal, a government clerk who also worked for the Daily Intekhab and Daily Khabardar newspapers, was shot dead on 14 February near Chamrok Hotel by unknown men on a motorcycle while

going to the city market on the national highway. Mengal received six bullet wounds and died before he could reach the district's Civil Hospital. When relatives arrived at the hospital they felt they were being watched and advised his brother Riaz not to come. Riaz told Amnesty International he received a phone call from an unknown number after his relatives visited the hospital. "A man said 'We are looking for you. Come and you will also be buried'." Because of these threats Mengal's funeral was shifted to a location outside Khuzdar and his brother fled the district. "How can the situation be so bad that I cannot bury my brother in the graveyard where all our forefathers are buried?" he asked Amnesty International as tears streamed down his face. The following day the Baloch National Army claimed responsibility for the attack, alleging that Ijaz Ahmed Mengal had been spying for the Pakistan government. But his brother Riaz, himself an experienced journalist, told Amnesty International that he believed the killing was an attempt to silence his journalism and to pressure others to feature their statements on politics and claims of responsibility for bombings and attacks on state forces. Baloch separatist groups are known to seek to justify journalist killings as the execution of spies working for the Pakistan security forces. For example, the Balochistan Liberation Front claimed responsibility for the 1 March 2013 killing of another Daily Intekhab journalist, Mehmood Ahmed Afridi, in Balochistan's Kalat district, whom they accused of being a spy.

After the killing of his brother, Riaz Mengal permanently relocated with his wife and four children to an undisclosed location. To this day he remains fearful of being killed if he returns to his home city. As far as Amnesty International is aware, the Pakistani authorities have not carried out a credible investigation into the killing of Ijaz Ahmed Mengal, nor has anyone been brought to justice.

## 6.2 AYUB TAREEN

The Balochistan correspondent for the BBC Urdu service, Ayub Tareen, had to flee the province after receiving a death threat from the Baloch Liberation Front (BLF), a separatist armed group responsible for various abductions, killings and attacks on infrastructure in the province. It was the third time in eight years that he had had to flee the province because of his reporting; another Baloch armed group threatened him in 2006 and he faced death threats from unknown persons in 2009.

On 21 July 2012, a spokesperson for the BLF contacted the News Network International agency to claim responsibility for an attack on the Coast Guard checkpost in Balochistan's port city of Gwadar in which eight guards were killed. During the call, the spokesperson also said the group would be boycotting the BBC Urdu service because its Balochistan correspondent, Ayub Tareen, was not giving them sufficient coverage. "[The BLF] had also maintained that the BBC should take against its 'biased reporters' and threatened that, otherwise, they would be forced to take some action themselves," recalled Ayub Tareen.

"The next morning a friend's phone call woke me up. He said there was some 'very bad news' for me but he would not say." Later that morning, Tareen learnt of the statement and he immediately felt scared. As he told the media rights activist Adnan Rehmat, "For some

moments, I felt the ground under my feet move. Death itself is not as painful, I think, as the message to carry out the threat of one's execution."<sup>129</sup> Tareen notified the BUJ which issued a statement condemning the threat on the following day, 23 July, saying, "Such acts are undemocratic, contrary to politics and immoral ... all organizations, institutions and political parties should contact journalist representative bodies or the head of the concerned [media] organization if they have any complaints ... Attacks and threats do not suit any organization, party or institution."<sup>130</sup>

Overwhelmed by a sense of powerlessness, Ayub Tareen remained in virtual self-imposed isolation at his home in Quetta, rarely venturing out unless accompanied by his family or friends. But within days he decided to leave for Islamabad. When Amnesty International interviewed him in Islamabad he said life in Pakistan's capital was "like living in exile" and was challenging without the support and encouragement of his family.

On 1 August 2012, another spokesperson for the BLA contacted Ayub Tareen to report a further attack claimed by the group and Tareen mentioned the threat he had previously received. The caller told him that the threat "was wrong" and offered to speak to the other spokesperson, but Tareen has not heard back from the group since. He eventually returned to Quetta, but the episode has left him watchful for any reprisals against his reporting.

"I receive several calls on a daily basis from various Baloch armed groups like the BLF and many others to claim responsibility for incidents taking place in the province, for instance, they exploded the gas pipeline and electricity tower, attacked the FC [Frontier Corp, a state security force] camp," Tareen said. According to him, the problem for journalists working in Balochistan is that state or non-state actors pressure them to publish statements that will inevitably arouse anger among their opponents. As Tareen explained, "for instance, they claim they want freedom for Balochistan as an independent state, they will kill Punjabis, and that the state intelligence agencies are their enemies." But if journalists report such statements they will inevitably face the ire of state security forces or pro-state armed groups like the BMDA.

Another problem for journalists is facing pressure to report the claims of armed groups like the BLF that they cannot independently verify. "When they [armed groups] claim responsibility for an incident which we cannot verify we do not report it. As a result we receive complaints from them that we are unfair," Tareen said. Armed groups also threaten journalists for perceived imbalances in their coverage of rival armed groups. "Every group says they are the genuine freedom fighters. For example, at the end of 2011 I got a call from a spokesperson of the BLA. He was claiming that the United Baloch Army is a fake organization, do not give it coverage. I told him that I do not know who is fake or not, we just have to report their claims."

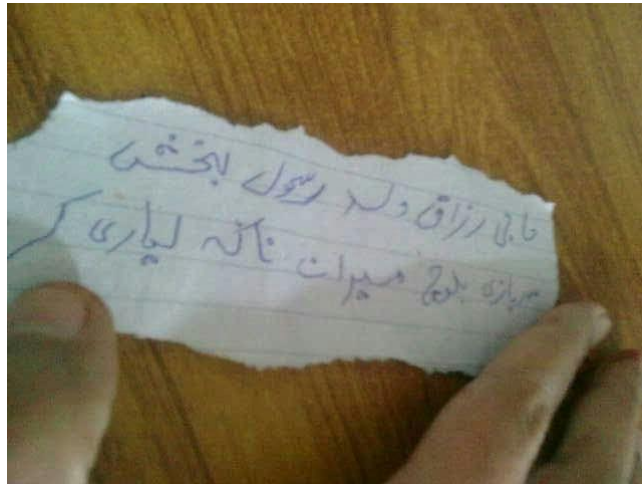
In August 2011, Ayub Tareen received a death threat from the BLA, but the group later apologised after the BUJ condemned it. "This time [in 2012] I decided to flee because the BLF did not retract their threat after the BUJ statement," Tareen explained. He said that he did not inform the police or other state authorities about the threats he received in 2011 and 2012 because "I do not trust them. Technically, I could have lodged a complaint with the police, an FIR [First Information Report], but I know no action would have been taken." Part of the reason for this, Tareen and several other journalists from Balochistan told Amnesty

International, is that the enduring violence in the province has restricted the police force which is significantly under-resourced, under-trained and itself facing threats and pressures from powerful state security forces and armed groups. Tareen also feared that in his case, lodging a formal complaint "could have created even more problems for me with the BLF." As far as Amnesty International is aware, no one has been brought to justice for the harassment or possible attempt to abduct or kill Ayub Tareen relating to the threats he faced in 2011 and 2012.

### **6.3 ABDUL RAZAQ SARBAZI**

On 21 August 2013, two mutilated bodies were found in Surjani Town, on the outskirts of Karachi. Inside the shirt pocket of one was a slip of paper that read: "Haji Razaq son of Rasool Baksh Sarbazi Baluch, Check Post Lyari." A medical examination determined that his body bore signs of torture. Haji Abdul Razaq Sarbazi was the Central Information Secretary of the Baloch National Movement (BNM), a political party outlawed by the Pakistan state for advocating the separation of Balochistan province from the rest of the country. He was also a journalist working for the Daily Tawar, a Baloch separatist newspaper registered in Balochistan province. The articles of Razaq and other Daily Tawar journalists frequently mentioned alleged abductions, torture and killings by Pakistan security forces. The newspaper would also carry reports of killings and bombings carried out by separatist Baloch armed groups and opinion pieces advocating the province's separation from the rest of Pakistan. These are especially sensitive topics in Pakistan, and the Tawar's aggressively pro-separatist editorial policy has made the newspaper and its staff a target of harassment and other abuse.

At least three other contributors to the Daily Tawar have been killed in the last six years and the newspaper's Karachi offices were mysteriously burnt to the ground on 21 March 2013. Although Amnesty International was not able to carry out detailed research into each of these cases, it appears that their affiliation with the newspaper had a direct bearing on their killing. As far as Amnesty International is aware, none of the individuals responsible for these killings or the burning of the Daily Tawar's office have been brought to justice.



"The body of Haji Razaq Sarbazi was found on the outskirts of Karachi with what appeared to be torture marks and a slip of paper bearing his name. 131 © Private

Abdul Razaq Sarbazi's wife and four children last saw him alive around 6pm on 24 March 2013 leaving his house in Karachi's Lyari district for the Daily Tawar's office in the same neighbourhood. Before getting there Sarbazi first met friends in Lyari's Mujahid Park. "He met us at the park and we all chatted for a few hours. I remember he was carrying BNM magazines. Around 9pm he got on his bike and said he was going to Tawar's office," one of his friends who was present at the park told Amnesty International.<sup>132</sup> According to Lyari residents interviewed by Amnesty International, local people claimed to have seen Sarbazi being pushed into an SUV-type vehicle by unknown persons later that same evening.

Sarbazi's family believe he was targeted by Pakistani state intelligence services because of his work as a journalist "and ... Central Information Secretary of the BNM, highlighting crimes of state in Balochistan."<sup>133</sup> Friends and family of Sarbazi told Amnesty International that he had been receiving anonymous threats on his cell phone in the months prior to his abduction. "He informed us twice about phone calls from an unknown number; some unknown persons were saying they will disappear him if he continues his services for Daily Tawar and affiliation with BNM," the family said in a statement obtained by Amnesty International.<sup>134</sup> "Alongside journalism, Abdul [Sarbazi] got involved in politics," said Zadraan, a former colleague at the Daily Tawar who now works for other media outlets.<sup>135</sup> According to Zadraan, Abdul Razaq Sarbazi and other Daily Tawar journalists started receiving threats after they picked up foreign money transfers on behalf of the BLF.

Amnesty International was not able to obtain detailed information about the possible perpetrators of the abduction, torture and killing of Abdul Razaq Sarbazi. The full details of his case will only be revealed if the authorities carry out a full, independent and impartial investigation into all possible suspects, including the ISI and other security authorities. The Pakistani authorities must bring those responsible to justice in fair trials without recourse to the death penalty, regardless of their status, rank or affiliations with state and non-state groups.

Abdul Razaq Sarbazi's family repeatedly rang his mobile phone after his abduction but it was

switched off. They managed to get a dial tone four days later, but though it was not answered. The family then asked local police to trace his phone, but they either did not attempt to do so, or did not inform the family.<sup>136</sup> The family wanted the police to note their accusation that the "secret agencies" were responsible for his abduction, but they refused. After some persistence, however, the police did register the incident against "unknown persons". The family also searched local hospitals and the streets of Lyari for any sign of Sarbazi, to no avail.

The next time they saw Abdul Razaq Sarbazi it was to identify his bloated, mutilated corpse in a Karachi hospital five months later. To this day no further investigations have been carried out into the abduction and killing, nor have those responsible been brought to justice. "This case is like a bombshell – nobody we go to wants to touch it," Sarbazi's sister Saeeda told Reuters news agency, which carried out a detailed investigation into the incident. The police officers who investigated Baloch's case ruled out kidnapping for ransom, a common practice in Karachi, noting that the family "has no way to pay". But he declined to offer an alternative explanation for the incident.<sup>137</sup>

## 7. THE ROLE OF MEDIA ENTERPRISES

Almost all journalists interviewed by Amnesty International for this report complained about the lack of support they received from their media company employers. They also expressed concern that intense rivalry between media enterprises often led to journalists themselves undermining attempts by their colleagues in rival outlets from seeking justice for human rights abuses. After Geo TV accused the ISI of responsibility for the attack on Hamid Mir, rival broadcaster ARY and others launched a concerted effort to undermine the claims. Some journalists even claimed that Mir had orchestrated the attack to malign the intelligence service and the military at the behest of India, Pakistan's arch rival in the region.<sup>138</sup> Staff of the Express Media Group told Amnesty International that they felt abandoned by colleagues in rival media houses after the string of attacks on their offices and workers. Other media houses gave limited coverage to these attacks, and some did not even mention Express Media Group or its outlets by name. Yet Express Media Group itself joined the chorus of Geo TV rivals demanding that the outlet apologise for accusing the ISI over the Hamid Mir attack. As noted, Hamid Mir himself accused the New York Times' Declan Walsh of being a CIA agent after Walsh published a report claiming a state military installation attacked by militants housed some of Pakistan's nuclear arsenal.

Dozens of working journalists also expressed anger and frustration at not receiving regular salaries and benefits, much less any special protections. As one private news channel cameraman told Amnesty International, "My camera and the TV van are insured but staff like me who risk death every time we reach [the aftermath of] a bomb blast or a crime scene are not insured."<sup>139</sup> This was a circumstance mentioned by most journalists and media workers operating in dangerous environments interviewed by Amnesty International.

Journalists interviewed by Amnesty International also complained about lack of adequate training, support and assistance from their media company employers to minimize the risks of human rights abuse while they carry out their duties. With the leadership of local media civil society, some companies have started to give their staff professional skills and security training. But a majority of media workers continue to be informally engaged and poorly trained. "Journalists need training on how to behave, how to work professionally. If they receive this type of training I think 30-40% of the risks they face could be removed," said Shahzada Zulfiqar, a Quetta-based journalist and media rights activist.<sup>140</sup> In the absence of such training many unwittingly stumble upon issues and situations that increase the risk of abuse.

Abida Sheikh, the broadcaster threatened by the MQM, said her employer at the time, a private media channel, did very little to support her during the period of the threats. "Even after I showed management the intelligence report from the Sindh government they did nothing to help me." According to Sheikh, a senior official from her media outlet told her to stop talking about "the Altaf issue" and said he felt she was exaggerating the death threats from the MQM.

Sheikh's experience was typical for journalists who run into trouble: their employers will often wash their hands of any obligation to assist them. After Awaz TV reporter Zahid Essa Khokhar and cameraman Abdus Salaam received death threats after filming the killing of a man in Karachi by a unit of Rangers, a state security force, their Awaz TV office in the same city was visited by a Rangers officer who intimidated staff and demanded to know where they were. The two men were promptly sacked by Awaz TV and forced to go into hiding. After the national attention they received as a result of filming the killing, the federal government provided them with protection, but Awaz TV continue to distance itself from them.

The media enterprises, whether Pakistani or international, are liable under national law if they fail in their "duty of care" with respect to the journalists working on their behalf, irrespective of their formal designation and status as employees or contractors. Further, media enterprises, like all business enterprises should respect human rights. This includes taking adequate measures to prevent and mitigate human rights abuses, including against those working on their behalf.<sup>141</sup> Undertaking an assessment that identifies threats to persons working on its behalf is an essential requirement.<sup>142</sup>

The 2012 UN Plan of Action on the safety of journalists and the issue of impunity urged the media industry and its professional associations "to establish general safety provisions for journalists, including but not limited to safety training courses, health care and life insurance, access to social protection and adequate remuneration for freelance and full-time employees".<sup>143</sup> The UN Special Rapporteur on freedom of expression has stated that "media enterprises must reinforce their commitment for the safety of journalists and undertake proper measures to allow them, in the best possible ways, to carry out their work in dangerous situations."<sup>144</sup>

The UN Special Rapporteur on freedom of expression has also recommended that as part of the steps to improve protection of journalists and prevent attacks against them, states should consider drafting and implementing handbooks, guides and protocols on protection.<sup>145</sup> This should be done in consultation with media companies and enterprises. The Pakistani authorities must also ensure that media companies adhere to requirements on undertaking their duty of care, and providing health and safety checks and adequate insurance for those working on their behalf, among other standards in national law. Where such requirements do not exist, or are inadequate, the authorities must introduce systemic legal and policy reforms to introduce them.

## 8. CONCLUSION

**“I’m part of a community that is day to day living in fear. If they can go after high profile journalists like Hamid Mir and Raza Rumi nothing can stop them from coming after you. Until the government catches the people who target journalists, the media will struggle to remain free.”**

Shahzeb Jillani, a Pakistan correspondent for BBC World

The importance of the media in Pakistan’s political life and national discourse, and the competitiveness of its diverse media landscape, has resulted in the perpetration of serious human rights abuses against journalists by military authorities, political parties, armed groups and others. It has created an environment in which journalists are under extreme pressure to cover topical and sensitive issues and maintain links with dangerous state and non-state actors who all too readily resort to harassment and other abuse to influence media coverage. Investigations into such incidents rarely bring perpetrators to justice and the resulting climate of impunity allows human rights abuses against journalists to continue unabated.

The widespread abuse of journalists has a chilling effect on freedom of expression in Pakistan. Ensuring the safety of journalists is vital for the respect and promotion of this right, guaranteed by Article 19 of the ICCPR, to which Pakistan is a state party. The inability to bring perpetrators to justice for abuses against journalists is a stark indicator of the failure of the Pakistani state to meet this obligation. This takes several forms: from the lack of or limited investigation of abuses by law enforcement and other authorities, to the near total absence of prosecution or conviction of those responsible for abuses ranging from abductions, torture and killing of journalists. In many of the cases documented for this report, law enforcement authorities carried out investigations, but those believed to be responsible for the abuses were not apprehended, let alone brought to justice in a fair trial. An overwhelming majority of journalists interviewed for this report expressed a lack of faith in the state’s ability, and at times its willingness, to protect them from abuse or bring the perpetrators to justice, particularly when those under suspicion were military, police or intelligence officials. This has effectively sent a signal to all perpetrators, be they state or non-state actors, that they can target journalists without suffering any legal consequences. As Shahzada Zulfiqar, a journalist and media rights activist from Balochistan, told Amnesty

International, *there should be some pressure on state [intelligence] agencies because they are bound to obey the law. If a journalist or any person violates the law and is involved in a crime he should be treated according to the law, not picked up, tortured or killed. Otherwise everyone starts treating journalists like this.*<sup>146</sup>

Total incidents* investigated by Amnesty International	Number of these incidents investigated by police or other state authorities	Number of incidents in which court proceedings brought against alleged perpetrators	Number of incidents in which the perpetrators were convicted
73	36	6	2

\* This refers to incidents of harassment or abuse against journalists. Some individuals experienced multiple incidents which are represented separately.

Yet even where state authorities demonstrate a willingness to protect journalists from abuse or provide adequately for them afterwards, in most cases those responsible remain beyond the reach of the law. In an overwhelming majority of the 74 incidents documented for this report, the quality and extent of state assistance provided to journalists was poor. The level of state assistance was usually proportionate to the journalist's public profile or their influence with government officials rather than adherence to formal procedures. Yet even in high-profile cases the state has almost always failed to bring perpetrators to justice.

Concerns over attacks against journalists and impunity have been consistently raised in the United Nations system over the past decade, culminating in the UN Plan of Action on the Safety of Journalists and the Issue of Impunity in 2012,<sup>147</sup> and the resolution of the UN General Assembly on the safety of journalists and the issue of impunity in December 2013.<sup>148</sup> The General Assembly resolution calls upon states "to promote a safe and enabling environment for journalists to perform their work independently and without undue interference" including by publicly condemning attacks against journalists, monitoring and reporting them; and dedicating resources necessary to investigate and prosecute such attacks.<sup>149</sup>

Senior officials in successive Pakistan governments have made statements about the need to improve protections and justice for journalist victims of human rights abuse. In response to demands by the media community, on 19 March 2014, Prime Minister Nawaz Sharif announced plans to establish public prosecutor at the federal and provincial levels to investigate attacks on journalists.<sup>150</sup> He also promised to "reinvigorate the stalled investigation into the Shahzad killing", a case whose resolution would set a significant precedent for future state responses to similar attacks.<sup>151</sup> Minister of Information Pervaiz Rashid told Amnesty International that "the only answer to journalist attacks is implementing the rule of law to the maximum, make the state's writ as powerful as possible. Do not allow anyone to step beyond the rule of law."<sup>152</sup> In October 2013 the Interior Minister and high-level media and civil society representatives endorsed the UN Plan of Action on the Safety of Journalists and Issue of Impunity and issued the Islamabad Declaration, which sets out action items and recommendations for state and industry stakeholders on combating impunity against journalists in Pakistan.<sup>153</sup>

These are welcome announcements. However, as at 30 April 2014 the authorities were yet to take any further steps to implement these promises and there have yet to be significant improvements in rights protections for journalists. All too often the authorities only act when public outrage reaches a level that is impossible to ignore, such as after the killings of Daniel Pearl, Saleem Shahzad and Wali Khan Babar.

Journalists interviewed by Amnesty International shared a common refrain that unity within the media industry and civil society was vital to exert pressure on state authorities to address attacks on journalists and bring the perpetrators to justice. When the media community has taken a unified stand in recent times this has had a measurable positive impact, as demonstrated by the unprecedented if still limited scrutiny of state security authorities in the Saleem Shahzad case, and the convictions in the Wali Khan Babar case. In contrast, attempts to investigate the ISI for its alleged role in the attack on Hamid Mir have, at time of writing, stalled as the national debate around this incident has been engulfed by the political tussle between the government and the military.

The responses to the killings of Daniel Pearl, Saleem Shahzad and Wali Khan Babar demonstrate the Pakistani authorities' capacity to act when they choose to investigate suspected perpetrators. However, these three cases are exceptional. In some of the other cases documented for this report, law enforcement authorities did register complaints but they were rarely or inadequately investigated, and almost never led to the perpetrators being arrested and convicted. Victims and their families rarely received other remedies such as compensation. Where assistance was provided by the state or the victim's employer, journalists complained this was seen as a favour rather than as a legal obligation. The authorities dared not prosecute members of the ISI or other military authorities in any cases where there were credible allegations against them.

In the instances where the government gave security protection to journalists under threat, Amnesty International found that this tended to be tokenistic or *ad hoc*. It was usually only provided after the incident had reached public attention and did not address systemic risks faced by journalists. Often the authorities were well aware of the source of threats or abuses but did not proceed to arrest or prosecute them.

*We can accuse political parties, intelligence agencies or militants of being responsible [for killing journalists]. But there is no data to back up these intentions. We are going to the government to ask them to investigate and catch the culprits. It's their job to do it. But they're clueless and there's no will to take this up further in Pakistan. It's not even that they're being vindictive or want journalists to get harmed. It's just indifference. They turn around and say, our officers are being targeted, we don't even know who's doing that, how can we provide you [with anything]? The police should do a thorough investigation, not just register an FIR [First Information Report].*

- Kamal Siddiqi, Express News

Ansar Naqvi, the Geo TV producer who received hundreds of death threats from ASWJ members, echoed this: "If there is an incident the government should respond immediately and ensure the culprits are caught." These views were echoed by practically every journalist and media community representative interviewed by Amnesty International for this report.

Journalists also complained that they lacked proper professional training to assess security

risks, and rivalries between competing media enterprises often undermined efforts to seek justice for journalists who suffered human rights abuses. The Pakistani authorities must ensure that media companies adhere to statutory requirements on due diligence, health and safety and adequate insurance, among other standards. They must also introduce systemic legal and policy reforms where such requirements do not exist in national law. All journalists working with media enterprises, whether as staff, contractors or stringers, must receive sufficient training, protections and resources to ensure their safety.

Ensuring that journalists are able to undertake their professional activities free from threats or harm is an essential cornerstone of the promotion of human rights in Pakistan. Journalists play a critical role in exposing human rights abuses by powerful state and non-state actors who are often beyond the reach of the authorities and therefore the law. With the continuing impunity for state and non-state perpetrators of abuses against journalists, there is a great risk that the space available for the promotion of human rights in Pakistan society will shrink, emboldening the perpetrators to continue to expand their influence over the country, beyond the reach of the law.

The welcome statements made by the Pakistan government about its plans to address abuses against journalists will count for little unless concrete steps are urgently taken to address impunity. As promised by Prime Minister Nawaz Sharif in March 2014, the authorities must reinvigorate the investigations into the abduction and killing of Saleem Shahzad. The authorities must also ensure all of the individuals and groups responsible for Shahzad's abduction and killing, and the assassination attempts on Raza Rumi and Hamid Mir, and all the other human rights abuses against journalists documented in this report are brought to justice in fair trials without recourse to the death penalty. Without urgent action there is a risk that Pakistan's media will be intimidated by abuses into silence.

## **8.1 RECOMMENDATIONS TO THE PAKISTANI AUTHORITIES:**

### **Protection of Journalists:**

- Ensure adequate protection of journalists and their families facing threats and attacks due to their legitimate work, while respecting their independence.
- Ensure journalists have unhindered access to the whole country so that they are able to report without putting themselves or others at additional risk.
- Direct security forces' personnel and intelligence officials to respect human rights, in particular the right to freedom of expression, and instruct them to cease statements or actions that threaten or harass journalists.

- Ensure, in line with the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, that media companies adhere to requirements on due diligence, health and safety, and adequate insurance among other standards in national law and policy; and introduce systemic legal and policy reforms where such requirements do not exist in national law or are inadequate.

#### **Investigation of human rights abuses against journalists:**

- Ensure prompt, thorough, independent and impartial investigations into all human rights abuses against journalists, including abductions, enforced disappearances, torture and other ill-treatment, extrajudicial executions and unlawful killings.
- Initiate investigations into the Directorate for Inter-Services Intelligence and all other state institutions and officials implicated in human rights abuses against journalists, particularly ensuring that superior officers are held accountable for violations ordered by them, or abuses committed due to their inaction.
- Re-start the criminal investigations into the abduction and killing of Saleem Shahzad, as promised by Prime Minister Nawaz Sharif, and ensure that all suspects, including the military and intelligence authorities, are subjected to a full, independent and impartial investigation.

#### **Justice for journalists subjected to abuse:**

- Ensure that all persons suspected of killing and other human rights abuses against journalists are brought to justice in fair trials without recourse to the death penalty, regardless of their status, rank or affiliation with state or non-state groups.
- Establish an independent, civilian oversight mechanism to hold all security forces, including the Armed Forces and intelligence services, accountable through the judicial system for human rights violations.
- Implement the Prime Minister's announced plan to establish an office of public prosecutor at the federal and provincial levels tasked with investigating attacks against journalists, and ensure that it is independent, adequately staffed and resourced, and has authority to investigate the military and intelligence services.
- Establish an effective witness protection programme to ensure the safety of concerned individuals and their families from reprisals, intimidation or harassment.

- Provide remedies, including reparation, compensation, rehabilitation and satisfaction to journalists and their families for human rights violations, consistent with the UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.

## **8.2 RECOMMENDATIONS TO POLITICAL PARTIES, TEHREEK-E-TALIBAN PAKISTAN, BALUCH ARMED GROUPS, AND OTHER NON-STATE ACTORS:**

- Immediately ensure that threats, attacks and fatwas against journalists undertaking their work are ceased, in all circumstances, without exception.
- Commit to respecting the right to freedom of expression, and the right of journalists to gather and disseminate information, including in areas under their control.
- Publicly condemn, from the highest level of leadership, all human rights abuses and violations of international humanitarian law against journalists and other media professionals, such as summary and other unlawful killings, abductions, torture and other ill-treatment, and punishments amounting to torture and other ill-treatment, and issue instructions to members strictly prohibiting such acts in all circumstances.
- Suspend from the ranks any member suspected of having ordered, committed or participated in human rights abuses against journalists.

## **8.3 RECOMMENDATIONS TO MEDIA ORGANIZATIONS OPERATING IN PAKISTAN:**

- Take adequate measures to prevent and mitigate human rights abuses, and guarantee that all journalists working on behalf of the enterprise, whether in the capacity of staff, contractor or stringer, will receive sufficient training, protection and resources to ensure their safety.
- Adhere to national law requirements on due diligence, health and safety, and adequate insurance, among others.



# ENDNOTES

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<sup>1</sup> Amnesty International interview 27 March 2014.

<sup>2</sup> On 19 August 2011 the United Nations High Commissioner for Human Rights expressed concern about the failure of the Pakistan government to adequately investigate the killing of journalists. OHCHR, "Press briefing note on Pakistan", 19 August 2011, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11483&LangID=E> (accessed 24 February 2012).

<sup>3</sup> "Annual Report 2013", Committee to Protect Journalists, February 2014, (accessed 14 February 2014); "World Press Freedom Index 2014", *Reporters Without Borders*, February 2014, <http://rsf.org/index2014/en-index2014.php> (accessed 24 March 2014).

<sup>4</sup> Ahmed Omar Saeed Sheikh was sentenced to death while Fahad Naseem, Salman Saqib, and Sheikh Mohammad Adij received life sentences. Sheikh remains on death row; the other three men are in prison and their appeals are waiting to be heard. On 18 March 2014, the Inter-Services Public Relations (ISPR) – the official public relations arm of the Pakistan Armed Forces – announced that another suspect in the Daniel Pearl case, Qari Abdul Hayee, had been arrested and transferred into police custody in Karachi. At the time of writing it was not clear if and when court proceedings would be brought against Hayee. See also Waj S. Khan, "Pakistan captures suspect in death of journalist Daniel Pearl, officials say", *NBC News*, 18 March 2014, [http://worldnews.nbcnews.com/\\_news/2013/03/19/17361236-pakistan-captures-suspect-in-death-of-journalist-daniel-pearl-officials-say](http://worldnews.nbcnews.com/_news/2013/03/19/17361236-pakistan-captures-suspect-in-death-of-journalist-daniel-pearl-officials-say) (accessed 19 March 2014).

<sup>5</sup> For more on the Daniel Pearl case see Asra Nomani, "The truth left behind: Inside the Kidnapping and Murder of Daniel Pearl", *Daniel Pearl Foundation*, 2011, [http://cloudfront-files-1-publicintegrity.org/documents/pdfs/The\\_Pearl\\_Project.pdf](http://cloudfront-files-1-publicintegrity.org/documents/pdfs/The_Pearl_Project.pdf) (accessed 30 May 2013).

<sup>6</sup> Human Rights Committee, General Comment 34, *Article 19: Freedoms of opinion and expression*, 12 September 2011, CCPR/C/GC/34, para 13.

<sup>7</sup> Human Rights Committee, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 20 April 2010, A/HRC/14/23, para 95.

<sup>8</sup> Pakistan has ratified the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 14(2) of the Pakistan Constitution also expressly prohibits torture. However, several security laws effectively provide wide latitude for state security forces to commit torture and other violations with impunity. The Pakistani state has a poor record in implementing and enforcing these important human rights protections.

<sup>9</sup> **Article 9:** "Security of person"; **Article 10:** "Safeguards as to arrest and detention"; **Article 10A:** "Right to fair trial"; **Article 14(2)** states: "No person shall be subjected to torture for the purpose of extracting evidence."

<sup>10</sup> **Article 19 Freedom of speech, etc.:** Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court,[15][commission of] or incitement to an offence.

**Article 19A Right to information:** Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.

<sup>11</sup> Article 19 also provides a broad and undefined restriction on the right to freedom of speech and expression, and freedom of the press, on the basis of "any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan." Following the shooting of Hamid Mir, the state applied laws consistent with Article 19 in response to allegations brought by his media outlet and relatives that the ISI was responsible for the attempt on his life. This case (discussed in more detail in section 3.1 below) is a stark reminder that such provisions of Pakistan law remain a serious obstacle to the full protection of the right to freedom of expression and opinion and the investigation of allegations of violations levelled against state security and intelligence authorities.

<sup>12</sup> See Ghafar Ali Khan, "The Pathetic Plight of Working Journalists in Pakistan", *South Asia Tribune*, 16-22 November 2011, [http://antisystemic.org/satribune/www.satribune.com/archives/nov16\\_22\\_03/P1\\_newsmen.htm](http://antisystemic.org/satribune/www.satribune.com/archives/nov16_22_03/P1_newsmen.htm) (accessed 20 April 2014). See also Supreme Court of Pakistan appeal judgment in the 7<sup>th</sup> Wage Board Award case, Civil Petitions No. 987 to 989 of 2011 (On appeal from the judgment of High Court of Sindh at Karachi dated 31.5.2011 passed in Const. P.Nos.D-1391/2004, D-1151/2007 and D-494/ 2008), 19 October 2011, [http://www.supremecourt.gov.pk/web/user\\_files/File/CPs987-989OF2011-DT19.10.2011.pdf](http://www.supremecourt.gov.pk/web/user_files/File/CPs987-989OF2011-DT19.10.2011.pdf) (accessed 20 April 2014).

<sup>13</sup> Huma Yusuf and Emrys Schoemaker, "Policy Briefing #9: The media of Pakistan – Fostering inclusion in a fragile democracy?", *BBC Media Action*, September 2013, p. 3.

<sup>14</sup> Ibid, p. 4.

<sup>15</sup> Urdu is the official language of Pakistan, but there are several different regional languages.

<sup>16</sup> For example, the Supreme Court of Pakistan injunction against television channels that broadcast footage of Baloch separatists destroying a museum dedicated to Muhammad Ali Jinnah, Pakistan's founding father. See "HCJP takes suo moto notice on Ary news channel program "Ab Tak"", *Supreme Court of Pakistan*, 14 August 2013, <http://www.supremecourt.gov.pk/web/page.asp?id=1610> (accessed 30 March 2014). See also "Suo motu notice: CJ takes note of Ziarat Residency attack broadcast", *Express Tribune*, 15 August 2013, <http://tribune.com.pk/story/590505/suo-motu-notice-cj-takes-note-of-ziarat-residency-attack-broadcast/> (accessed 30 March 2014).

<sup>17</sup> Under section 27 of the Pakistan Electronic Media Authority Ordinance 2002, the authorities have the power to prohibit transmissions of particular programmes and advertisements if they believe that the content in question "is:

- a. against the ideology of Pakistan, or
- b. is likely to create hatred among the people, or
- c. is prejudicial to the maintenance of law and order, or
- d. is likely to disturb public peace and tranquility, or
- e. endangers national security or
- f. is pornographic, obscene or vulgar or is offensive to the commonly accepted standard of decency."

See also sections 20 and 33 of the Ordinance. Article 99-A of the Pakistan Criminal Procedure Code 1898 allows the authorities to restrict information that it considers to be seditious, is prejudicial to national integration, promotes or intended to promote enmity between different communities, or which deliberately or maliciously seeks to offend religious feelings or insult the religion or religious beliefs of a community.

<sup>18</sup> "Complaint against Independent Media Corporation (Pvt.) Ltd (GEO) for taking action under the PEMRA Ordinance and the Rules for false and scandalous campaign undermining the integrity and

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tarnishing the image of state institution (ISI) and its officers", Pakistan Ministry of Defence, 22 April 2014.

<sup>19</sup> "Pakistan blocks BBC World News TV channel", *BBC*, 30 November 2011, <http://www.bbc.co.uk/news/world-asia-15936881> (accessed 12 February 2014).

<sup>20</sup> Amnesty International interview March 2012.

<sup>21</sup> Amnesty International interview March 2014.

<sup>22</sup> Amnesty International interview 2012. Name withheld on request.

<sup>23</sup> *Report of the Commission of Inquiry concerning the gruesome incident of the abduction and murder of Syed Saleem Shahzad*, 10 January 2012, p. 11.

<sup>24</sup> For example, see Amnesty International "Pakistan urged to investigate death plot against leading human rights lawyer", 6 September 2012, <http://www.amnesty.org/en/news/pakistan-urged-investigate-death-plot-against-leading-human-rights-lawyer-2012-06-09>.

<sup>25</sup> Amnesty International interview in London on 25 March 2014 with Col Zulfiqar Bhatti, Army and Air Adviser, Pakistan High Commission to the United Kingdom.

<sup>26</sup> For more information on threats received by Najam Sethi from the ISI see Elizabeth Rubin, "Roots of Impunity: Pakistan's Endangered Press And the Perilous Web of Militancy, Security, and Politics", *Committee to Protect Journalists*, May 2013, <http://cpj.org/reports/CPJ.Pakistan.Roots.of.Impunity.pdf> (accessed 6 June 2013), pp. 31-32. Hamid Mir's claims against the ISI are mentioned in Chapter 3.1 below.

<sup>27</sup> "Hamid Mir said 'hold ISI Chief responsible in case of attack': Amir Mir", *The News International*, 19 April 2014, <http://www.thenews.com.pk/article-145142-Hamid-Mir-said-hold-ISI-Chief-responsible-in-case-of-attack:-Amir-Mir> (accessed 19 April 2014).

<sup>28</sup> Amnesty International interview April 2014. CPJ told Amnesty International that Mir had frequently contacted them about death threats over the last several years he was receiving from individuals and groups he believed were associated with the ISI. However, the organization said they had not received any video or other message from Mir to the effect that the ISI or specific individuals should be held responsible if he were to be killed.

<sup>29</sup> "Press Release", *Inter Services Public Relations*, 22 April 2014, [https://www.ispr.gov.pk/front/main.asp?o=t-press\\_release&id=2533](https://www.ispr.gov.pk/front/main.asp?o=t-press_release&id=2533) (accessed 22 April 2014).

<sup>30</sup> Syed Saleem Shahzad, "Al-Qaeda had warned of Pakistan strike", *Asia Times Online*, 27 May 2011, [http://www.atimes.com/atimes/South\\_Asia/ME27Df06.html](http://www.atimes.com/atimes/South_Asia/ME27Df06.html) (accessed 20 May 2012).

<sup>31</sup> *Report of the Commission of Inquiry concerning the gruesome incident of the abduction and murder of Syed Saleem Shahzad*, 10 January 2012, p. 111.

<sup>32</sup> The Inquiry was constituted under the Pakistan Commissions of Inquiry Act 1956 (VI of 1956).

<sup>33</sup> Letter of Hamid Mir dated 15 July 2011.

<sup>34</sup> Amnesty International interview February 2014.

<sup>35</sup> Syed Saleem Shahzad, "Al-Qaeda had warned of Pakistan strike", *Asia Times Online*, 27 May 2011, [http://atimes.com/atimes/South\\_Asia/LJ16Df02.html](http://atimes.com/atimes/South_Asia/LJ16Df02.html) (accessed 20 May 2012).

<sup>36</sup> *Report of the Commission of Inquiry concerning the gruesome incident of the abduction and murder of*

Syed Saleem Shahzad, 10 January 2012, p. 44.

<sup>37</sup> Ibid.

<sup>38</sup> *Report of the Commission of Inquiry concerning the gruesome incident of the abduction and murder of Syed Saleem Shahzad*, 10 January 2012, p. 103.

<sup>39</sup> Ibid, p. 5.

<sup>40</sup> Amnesty International interview March 2014. Name withheld on request.

<sup>41</sup> *Report of the Commission of Inquiry concerning the gruesome incident of the abduction and murder of Syed Saleem Shahzad*, 10 January 2012, p. 104.

<sup>42</sup> *Report of the Commission of Inquiry concerning the gruesome incident of the abduction and murder of Syed Saleem Shahzad*, 10 January 2012, p. 23.

<sup>43</sup> Azaz Syed, "Jailed militant's hoax calls drove India, Pakistan to brink of war---what a shame", *Dawn*, 26 November 2009, <http://forum.pakistanidefence.com/index.php?showtopic=86103> (accessed 12 April 2014).

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<sup>52</sup> Bob Dietz, "The significance of Umar Cheema's abduction", *Committee to Protect Journalists*, 9 September 2010, <http://cpj.org/blog/2010/09/the-significance-of-umar-cheemas-abduction.php> (accessed 12 January 2014).

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- <sup>56</sup> Rick Gladstone, "Pakistan orders New York Times reporter Declan Walsh to leave", *The New York Times*, 11 May 2013, <http://www.nytimes.com/2013/05/11/world/asia/pakistan-orders-new-york-times-reporter-declan-walsh-to-leave.html> (accessed 10 May 2013).
- <sup>57</sup> Amnesty International interview March 2014.
- <sup>58</sup> Rick Gladstone, "Pakistan orders New York Times reporter Declan Walsh to leave", *The New York Times*, 11 May 2013, <http://www.nytimes.com/2013/05/11/world/asia/pakistan-orders-new-york-times-reporter-declan-walsh-to-leave.html> (accessed 10 May 2013).
- <sup>59</sup> "Prime Minister pledges justice, security for journalists", *Committee to Protect Journalists*, 19 March 2104, <http://www.cpj.org/2014/03/prime-minister-pledges-justice-security-for-journa.php> (accessed 19 March 2014).
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- <sup>61</sup> See Declan Walsh, "US disavows 2 drone strikes over Pakistan", *The New York Times*, 4 March 2013, <http://www.nytimes.com/2013/03/05/world/asia/us-disavows-2-drone-strikes-over-pakistan.html> accessed 5 March 2013).
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- <sup>63</sup> Capital Talk with Hamid Mir on Geo TV first aired 16 August 2012.
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- <sup>69</sup> Amnesty International interview March 2014.
- <sup>70</sup> See Huma Yusuf, "Conflict Dynamics in Karachi", Peacework – United States Institute of Peace, 2012, <http://www.usip.org/sites/default/files/PW82-Conflict%20Dynamics%20in%20Karachi.pdf>

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<sup>71</sup> Amnesty International interview March 2014.

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<sup>73</sup> Amnesty International interview with Sindh Government representatives, April 2014.

<sup>74</sup> Speech by MQM leader Altaf Hussain to party supporters via video-link on 12 May 2013. A recording of the speech is available here: [http://www.dailymotion.com/video/xzt69x\\_alfat-hussain-speech-against-pti-12th-may-2013\\_news](http://www.dailymotion.com/video/xzt69x_alfat-hussain-speech-against-pti-12th-may-2013_news) (accessed 12 December 2013).

<sup>75</sup> "Altaf Hussain calls off MQM sit-in at ECP", *Express Tribune*, 16 May 2013, <http://tribune.com.pk/story/550016/alfat-hussain-calls-off-mqm-sit-in-at-ecp/> (accessed 12 December 2013).

<sup>76</sup> Amnesty International interview April 2014.

<sup>77</sup> Amnesty International interview February 2014.

<sup>78</sup> Ibid.

<sup>79</sup> Amnesty International interview February 2014. Name withheld to protect their identity.

<sup>80</sup> Amnesty International interview March 2014.

<sup>81</sup> Amnesty International interview March 2014.

<sup>82</sup> Amnesty International interview February 2014.

<sup>83</sup> Amnesty International interview in Karachi, March 2014. Name changed to protect identity.

<sup>84</sup> Letter obtained by Amnesty International in 2014. Undated.

<sup>85</sup> "Terrorist Designations of Lashkar I Jhangvi and Malik Ishaq", *United States Department of State*, 6 February 2014, <http://www.state.gov/r/pa/prs/ps/2014/02/221398.htm> (accessed 20 February 2014).

<sup>86</sup> Amnesty International interview September 2013.

<sup>87</sup> Elizabeth Rubin, "Roots of Impunity: Pakistan's Endangered Press And the Perilous Web of Militancy, Security, and Politics", *Committee to Protect Journalists*, May 2013, <http://cpj.org/reports/CPJ.Pakistan.Roots.of.Impunity.pdf> (accessed 6 June 2013), pp. 28-33.

<sup>88</sup> For a decade or more, there have been periods of non-international armed conflict in northwest Pakistan between Pakistani Taliban and other armed groups against Pakistan security forces especially in North Waziristan and other parts of the Federally Administered Tribal Areas. Armed clashes are currently less frequent and intense but the Pakistan Armed Forces continue to conduct military operations that often result in deaths and injuries to local residents, destruction of homes and property, and displacement.

<sup>89</sup> See "Will I be next?: US drone strikes in Pakistan (2013), (Index: ASA 33/013/2013), p. 12.

<sup>90</sup> Amnesty International interviews 2012-2013. See also "Pakistan: Hayatullah Khan - Justice Denied One Year On", *Amnesty International*, (Index: ASA 33/011/2007), 16 June 2007, <http://www.amnesty.org/en/library/info/ASA33/011/2007/en/>.

<sup>91</sup> See Elizabeth Rubin, "Roots of Impunity: Pakistan's Endangered Press And the Perilous Web of

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Militancy, Security, and Politics", *Committee to Protect Journalists*, May 2013, <http://cpj.org/reports/CPJ.Pakistan.Roots.of.Impunity.pdf> (accessed 6 June 2013). See also "Pakistan: Hayatullah Khan - Justice Denied One Year On", *Amnesty International*, (Index: ASA 33/011/2007), 16 June 2007, <http://www.amnesty.org/en/library/info/ASA33/011/2007/en/>.

<sup>92</sup> Amnesty International interview March 2013. Name withheld on request.

<sup>93</sup> Gohar Ali Khan, "TTP denies issuing any edict against media", *The News International*, 20 October 2013, <http://www.thenews.com.pk/Todays-News-2-209094-TTP-denies-issuing-any-edict-against-media> (accessed 12 November 2013).

<sup>94</sup> Adnan Rehmat, *Reporting Under Threat*, Civic Action Resources, 2014, p 114.

<sup>95</sup> Ibid, p 115.

<sup>96</sup> Hasan Abdullah, "Media now in TTP crosshairs", *Dawn*, 23 January 2014, <http://www.dawn.com/news/1082132/media-now-in-ttp-crosshairs> (accessed 2 February 2014).

<sup>97</sup> "Express News bureau chief's house attacked in Murshadabad", *Express Tribune*, 6 April 2014, <http://tribune.com.pk/story/692086/express-news-bureau-chiefs-house-attacked-in-murshidabad/> (accessed 5 April 2014).

<sup>98</sup> Amnesty International interview 27 March 2014.

<sup>99</sup> Raza Rumi, "Escaping death in the Land of the Pure", *Express Tribune*, 29 March 2014, <http://tribune.com.pk/story/688869/escaping-death-in-the-land-of-the-pure/> (accessed 29 March 2014).

<sup>100</sup> Raza Rumi, "Escaping death in the Land of the Pure", *Express Tribune*, 29 March 2014, <http://tribune.com.pk/story/688869/escaping-death-in-the-land-of-the-pure/> (accessed 29 March 2014).

<sup>101</sup> Faraz Khan, "Express media offices attacked in Karachi", *Express Tribune*, 17 August 2013, <http://tribune.com.pk/story/591393/express-media-offices-attacked-in-karachi/> (accessed 15 February 2014).

<sup>102</sup> Amnesty International interview February 2014.

<sup>103</sup> Amnesty International interview in 2014. Name withheld on request.

<sup>104</sup> Interview with Javed Chaudhry on Express TV broadcast live on 17 January 2014.

<sup>105</sup> Email dated 18 January 2014 obtained by Amnesty International.

<sup>106</sup> Amnesty International interview November 2011.

<sup>107</sup> Amnesty International interview in 2013. Name withheld to protect identity.

<sup>108</sup> Amnesty International interview July 2013. Name withheld on request.

<sup>109</sup> Amnesty International interviews 2013 and 2014.

<sup>110</sup> For more on the Rehmatullah Darpakhel case, see above.

<sup>111</sup> Umar Farooq, "Pakistani fertilizer grows both Taliban bombs and Afghan crops", *Christian Science Monitor*, 9 May 2013, <http://www.csmonitor.com/World/Asia-South-Central/2013/0509/Pakistani-fertilizer-grows-both-Taliban-bombs-and-Afghan-crops> (accessed 15 May 2103).

<sup>112</sup> Amnesty International interviews March and July 2013. Names withheld on request.

<sup>113</sup> Amnesty International interview July 2013.

<sup>114</sup> Amnesty International interview February 2013.

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<sup>116</sup> See "Malik Mumtaz's funeral prayer offered", *The News Internationals*, 28 February 2013, <http://www.thenews.com.pk/article-90140-Malik-Mumtazs-funeral-prayer-offered--> (accessed 4 April 2013). See also Radio Pakistan Twitter account, 28 February 2013, <https://twitter.com/RadioPakistan/status/307166361757552640> (accessed 4 April 2013).

<sup>117</sup> Rule 34, Customary International Humanitarian Law, International Committee of the Red Cross. Article 79, Protocol I to the Geneva Conventions also specifically states, "journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians."

<sup>118</sup> United Nations Security Council Resolution 1738 (2006) on the protection of journalists in armed conflict, available at <http://www.un.org/News/Press/docs/2006/sc8929.doc.htm>.

<sup>119</sup> Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue A/HRC/11/4 (April 2009), Para 47.

<sup>120</sup> In March 2011 the United Nations High Commissioner for Human Rights "noted with alarm" the killing of journalists in Balochistan after a spate of targeted killings across the province over the course of a few months [check]. UNOHCHR, "UN human rights chief condemns Pakistan assassination, urges reform of blasphemy laws", 2 March 2011, <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10784&LangID=E> (accessed 24 February 2011).

<sup>121</sup> Amnesty International interview December 2011.

<sup>122</sup> See report "Balochistan Union of Journalists has strongly condemned threats to BBC Urdu Service's bureau chief Ayub Tareen by Baloch Liberation Army's spokesperson Bisham Baloch", *Daily Mashriq*, Quetta edition, 23 July 2012.

<sup>123</sup> "Hamid Mir endorses brother's claims of threats from ISI", *Geo TV*, 24 April 2014, <http://www.geo.tv/article-145634-Hamid-Mir-endorses-brothers-claims-of-threats-from-ISI> (accessed 29 April 2014).

<sup>124</sup> Amnesty International interviews with senior lawyers in Quetta, 2014.

<sup>125</sup> "The 10 most dangerous places for journalists", *Reporters Without Borders*, 21 December 2011, [http://en.rsf.org/the-10-most-dangerous-places-for-21-12-2011\\_41582.html](http://en.rsf.org/the-10-most-dangerous-places-for-21-12-2011_41582.html) (accessed 29 April 2012).

<sup>126</sup> Amnesty International interview May 2013.

<sup>127</sup> Amnesty International interviews 2011-2014. The BMDA is also known as the Baloch Musallah Difa Tanzeem.

<sup>128</sup> Ibid. See also Dr. Mehdi Hasan, "HRCP outraged at foul murders", *Human Rights Commission of Pakistan*, 2 March 2011.

<sup>129</sup> Adnan Rehmat, *Reporting Under Threat*, Civic Action Resources, 2014, pp. 50-51.

<sup>130</sup> See report "Balochistan Union of Journalists has strongly condemned threats to BBC Urdu Service's bureau chief Ayub Tareen by Baloch Liberation Army's spokesperson Bisham Baloch", *Daily Mashriq* (Quetta edition), 23 July 2012.

<sup>131</sup> The slip read "Haji Razaq son of Rasool Baksh Sarbazi Baluch, Check Post Lyari."

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- <sup>132</sup> Amnesty International interview August 2013.
- <sup>133</sup> Written statement of Abdul Razaq Sarbazi's family. Undated.
- <sup>134</sup> Written statement of Abdul Razaq Sarbazi's family. Undated.
- <sup>135</sup> Amnesty International interview February 2014. Name withheld on request.
- <sup>136</sup> Amnesty International interview February 2014. Name withheld on request.
- <sup>137</sup> Matthew Green, "Special report - The struggle Pakistan does not want reported", *Reuters*, 24 September 2013, <http://uk.reuters.com/article/2013/09/24/uk-pakistan-disappearances-specialreport-idUKBRE98N00820130924> (accessed 30 September 2013).
- <sup>138</sup> ARY television broadcast in Pakistan, 22 April 2014.
- <sup>139</sup> Amnesty International interview March 2012. Name withheld on request.
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- <sup>141</sup> See OHCHR, "Guiding Principles on Business and Human Rights", United Nations, 2011, [http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf) (accessed 10 April 2014).
- <sup>142</sup> Ibid, Principle 17.
- <sup>143</sup> Ibid, Para 5.22.
- <sup>144</sup> See UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Report to the Human Rights Council, A/HRC/4/27, para 60.
- <sup>145</sup> See UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Report to the Human Rights Council, A/HRC/14/23, Para 103.
- <sup>146</sup> Amnesty International interview December 2011.
- <sup>147</sup> "UN Plan of Action on the Safety of Journalists and the Issue of Impunity", UNESCO, 13 April 2012, [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/WPFD/UN%20Plan%20of%20Action\\_Safety%20of%20Journalists.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/WPFD/UN%20Plan%20of%20Action_Safety%20of%20Journalists.pdf) (accessed 15 May 2013).
- <sup>148</sup> United Nations General Assembly, Resolution 68/163, *The safety of journalists and the issue of impunity*, 21 February 2014, A/RES/68/163.
- <sup>149</sup> United Nations General Assembly, Resolution 68/163, *The safety of journalists and the issue of impunity*, 21 February 2014, A/RES/68/163, Para 6.
- <sup>150</sup> "All steps to be taken for security of Journalist, media workers: Information Ministry", *Associated Press Pakistan*, 19 March 2014, [http://www.app.com.pk/en\\_/index.php?option=com\\_content&task=view&id=272500&Itemid=2](http://www.app.com.pk/en_/index.php?option=com_content&task=view&id=272500&Itemid=2) (accessed 20 March 2014). Similarly, the Saleem Shahzad Inquiry recommended the establishment of an office of Human Rights Ombudsman: "The Ombudsman should have the mandate to redress grievances of anyone who complains of misconduct, or suspected misconduct by intelligence officials and agents. The complaints of the Media should be treated with particular seriousness." Inquiry report p. 139.
- <sup>151</sup> "Prime minister pledges justice, security for journalists in Pakistan", *Committee to Protect Journalists*, 19 March 2014, <http://cpj.org/2014/03/prime-minister-pledges-justice-security-for-journa.php> (accessed 19 March 2014).

<sup>152</sup> Amnesty International interview March 2014.

<sup>153</sup> "Pakistan To Support UN Plan To Fight Impunity Against Media", *Freedom Network*, 13 October 2013, <http://www.freedomnetwork.org.pk/?p=2133> (accessed 20 October 2013).



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# **'A BULLET HAS BEEN CHOSEN FOR YOU'**

## **ATTACKS ON JOURNALISTS IN PAKISTAN**

Pakistan has a reputation for having a fearless and vibrant media but it is one of the most dangerous countries in the world for journalists, judging by the frequency and range of harassment and abuse they face. Based on interviews with over 70 journalists and as many cases, this report documents harassment, abduction, torture and killing of journalists by a range of state and non-state actors. These include the Directorate for Inter-Services Intelligence (ISI), the military's premier intelligence service; the MQM political party; the Pakistani Taliban; ethnic Baloch armed groups; and criminal gangs.

Abuses against journalists take many forms but share the common purpose of seeking to silence the media and stifle public debate. This has increasingly resulted in media self-censorship, having a chilling effect on freedom of expression across Pakistan. The authorities rarely investigate abuses promptly or thoroughly, enabling the perpetrators to literally get away with abduction, torture and killing. Journalists also lack adequate training, support and assistance from media organizations, increasing the risks of abuses while at work.

The Pakistan government has promised important reforms to protect journalists but few concrete steps have yet been taken. Without urgent action the media will be intimidated by abuses into silence.

Index: ASA 33/005/2014

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