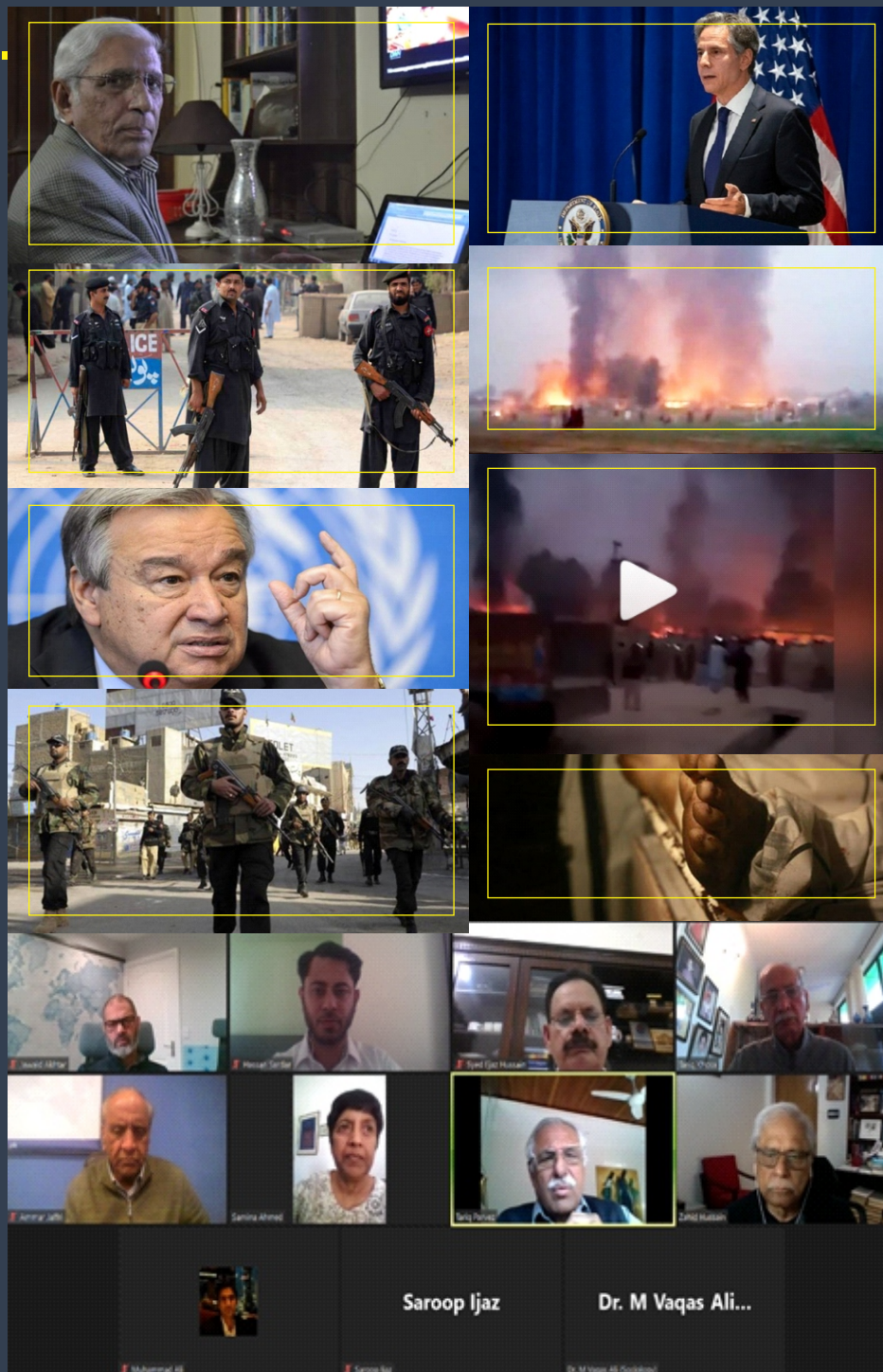


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Former Director General  
Federal Investigation Agency

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specializing in countering terrorism

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Senior Adviser Asia and Project Director,  
South Asia for the International Crisis Group

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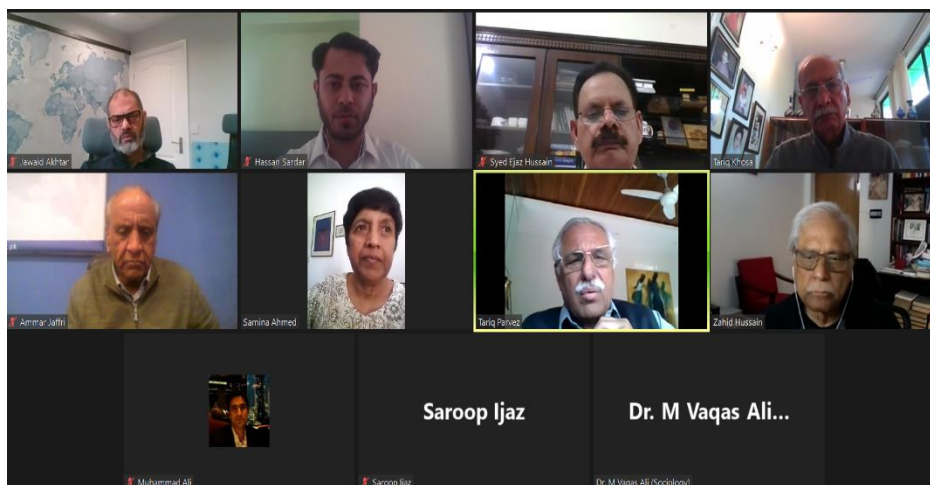
### **Saroop Ijaz**

Legal Expert

## NIOC DIRECTORATE

## CONSULTANTS

# NIOC's 25th Advisory Board Meeting



The 25th Advisory Board Meeting of NIOC was held online on Monday 15 November 2021. The Following participated: President AB Tariq Parvez; Members AB Zahid Hussain, Samina Ahmed and Jawaid Akhtar. Zubair Habib and Dr Manzoor Ahmad could not attend due to their prior commitments.

The following participated from the NIOC Directorate: Director Tariq Khosa, Deputy Director Ejaz Hussain, Consultant Kashif Noon, Governance Expert Ali Nekokara, Legal Expert Saroop Ijaz, Consultant Ammar Jaffri, Research Associate Vaqas Ali, and Manager Administration Hassan Sardar.

The following Agenda was discussed.

Serious and Organized Crime Study: 1) Threat Assessment Reports received from the team members will be sent to AB Members Tariq Parvez, Samina Ahmed and Jawaid Akhtar for review and feedback. 2) EU Strategy against SOC will be examined by Kashif Noon. 3) Kashif Noon will finalize the draft National Strategy against Serious and Organized Crime before the end of Nov.

MLA Study: 1) Azam Khan is in contact with all stakeholders to get responses to questions. 2) Meeting with the NCA Head of BHC will be arranged soon. 3) Saroop will identify case law and examine SC verdict on MLAs. 4) Kashif and Vaqas will assist Azam in writing the report. 5) Meeting with the DG FMU will be organized soon. 6) FDG with FIA held last week. FDG with DIGs CTDs to be organized soon. 7) FDG at Lahore to be planned as well.

Criminal Justice Reforms Initiative for 2022: 1) Ejaz, Ali and Kashif to prepare Concept Note before the end of this month. 2) Proposals for donors will be finalised in early December 2021.

It was also decided that 26th AB Meeting in December will be held on December 3, 2021.

# Judicial wrack and persisting corruption

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DURDANA NAJAM

Pakistan has been in the throes of mismanagement largely because the leadership has been corrupt to the core. Though we clamour that India wants to see Pakistan dismantled, what have the country's leaders done to save it from becoming a house of cards?

Unfortunately, the PTI government that came to power riding on the anti-corruption and anti-status horse has been unable to lay its hands on the so-called mafias. In fact, both corruption and the status quo have perpetuated since. In the name of saving democracy – the rule of law and governance have been sacrificed. Though this government has the credit of engaging with the people, the PPP and the PML-N eras were essentially the epochs of appeasement of cronies.

The PPP rehabilitated the stature of the parliament. Prime Minister Yousaf Raza Gillani used to come to the National Assembly regularly. The eighteenth amendment was orchestrated to revive the power of the prime minister. Parliamentary committees were enlivened, and the whole gamut of the parliamentary system of governance was put in place. The PPP government even took pride in having the army and the ISI chief face parliamentary inquiry on the force's apparent obliviousness to the capture of Osama bin Laden by the US Navy Seal in Abbottabad. However, the strengthening of parliament did not compensate for the lack of governance that certainly nosedived during Zardari's reign. From energy to law and order to the rule of law, everything was in the doldrums. The government failed to curtail terrorism. Bomb blasts were too many, happening almost every second day. The so-called public representatives were "busy strengthening parliament" without caring about any relief to the people. It was a sheer joke that went on until the PML-N government came into power and the parliament once again took a back seat in the scheme of things.

For a glimpse of the condition of the rule of law and the legal system's efficiency in Pakistan, let us look at what the constitution of Pakistan says about them and where we stand.

The constitution of Pakistan underscores the implementation of the rule of law in various provisions, especially Article 4 and 5. The former speaks of guaranteeing every citizen the right to be dealt with according to law, while the latter makes it mandatory for every citizen to obey the rule of law. This two-way street of dispensing and obeying the law is what makes a state powerful and successful. However, the situation on the ground is not favourable.

In its latest report, the World Justice Project Rule of Law Index 2021 has ranked Pakistan 130 out of 139 countries in the areas of order and security. Whereas the country is placed at the 108th, 124th, and 123rd in terms of criminal justice, civil justice, and regulatory enforcement, respectively. The World Justice Project has consistently ranked Pakistan as one of the poorest



performers on its Rule of Law Index. According to the 2020 rankings, Pakistan is the ninth-worst performing state globally and the second worst in South Asia.

Similarly, the US State Department's Investment Climate Statements report for 2021 depicts an equally dismal picture of Pakistan's judicial system. The report says: "Pakistan's judiciary is influenced by the government and other stakeholders. The lower judiciary is influenced by the executive branch and is seen as lacking competence and fairness. It currently faces a significant backlog of unresolved cases." Going deeper into the report further lays bare the reality of the independence of Pakistan's judiciary with remarks such as "the military wields significant influence over the judicial branch", and "there are doubts concerning the competence, fairness, and reliability of Pakistan's judicial system".

No wonder nexus of 'power seekers' have resulted in the slow grinding of the wheel of justice. According to the National Judicial Policy Making Committee of Pakistan, more than two million cases are pending in the Supreme Court, Federal Shariat Court, high courts, and the district judiciary. There is also a dearth of judges. For example, in the Lahore High Court, against the required capacity of 70 judges, only 34 are posted. The domino effect of this intellectual dishonesty could be seen in the conviction rate, which is as low as 3%, not to speak of the loss of faith in the judiciary, which has made people fearless of law and disrespectful towards the law enforcers, as was witnessed in the recent TLP protest. These are not encouraging rankings and observations.

To eradicate corruption and rehabilitate the rule of law, the country does not need street protests or long diatribes. It requires a mechanism of accountability to eradicate corrupt politicians and their cronies from the political system. And that is unlikely to happen unless we have a revolutionary leadership – something that is terribly lacking in the country. It is indeed a no-win situation. Neither democracy has won nor the so-called third force. It is, in fact, the return of corruption with the loss going to the masses.

**SOURCE: THE EXPRESS TRIBUNE, NOVEMBER 4TH, 2021.**

## Pakistan, Taliban violators of religious freedom: US

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US State Secretary Antony Blinken speaks to the media after meetings on the side-lines of the 76th Session of the UN General Assembly in New York on Sept 23.

The US Secretary of State Antony J. Blinken on Wednesday redesignated Pakistan as a country of particular concern (CPC) for violating religious freedom and rebranded the Taliban as an entity of particular concern.

The Trump administration first placed Pakistan on this list in December 2018 and retained it in 2020 as well. The Biden administration, which came to power in January this year, has retained the old list with two changes, adding Russia and removing Sudan from the CPC category.

Countries are listed in this category for allegedly engaging in or tolerating “systematic, ongoing, (and) egregious violations of religious freedom”.

“I am designating Burma, China, Eritrea, Iran, the DPRK, Pakistan, Russia, Saudi Arabia, Tajikistan, and Turkmenistan as Countries of Particular Concern for having engaged in or tolerated systematic, ongoing and egregious violations of religious freedom,” Secretary Blinken said in a statement issued by his office.

“I am also placing Algeria, Comoros, Cuba, and Nicaragua on a Special Watch List for governments that have engaged in or tolerated severe violations of religious freedom,” he added.

Secretary Blinken also designated al-Shabab, Boko Haram, Hayat Tahrir al-Sham, the Houthis, ISIS, ISIS-Greater Sahara, ISIS-West Africa, Jamaat Nasr al-Islam wal-Muslimin, and the Taliban as Entities of Particular Concern.

Each year the Secretary of State identifies governments and non-state actors, who, he believes, merit designation under the US International Religious Freedom Act.

“We will continue to press all governments to remedy shortcomings in their laws and practices and to promote accountability for those responsible for abuses,” Mr Blinken said.

**SOURCE: DAWN, NOVEMBER 18TH, 2021**

## 3 coal miners shot dead in Balochistan's Harnai area

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A file picture of a dead body covered in a shroud in an ambulance.

Three coal miners were shot dead by unidentified armed men in the Zalawan area in Harnai, Balochistan.

Deputy Commissioner Harnai district Sohail Hashmi told Dawn.com that the assailants arrived at the coal mine in the wee hours of Sunday and opened fire on the colliers, leaving three of them dead on the spot.

He said the deceased belonged to Kandahar, Afghanistan.

The bodies were later taken to Rural Health Centre, Shahrag for medico-legal formalities.

In August this year, some armed men had gunned down three coal miners working in the Marwar coalfield area, some 70 kilometres from Quetta.

The gunmen had entered the area in the night and escaped after killing the miners. Security forces personnel deployed at the nearby check-post had gotten the information late because there was no mobile phone service in the hilly area.



Similarly, seven miners were killed in a methane gas blast at a coal mine in the Harnai area in March.

### **104 coal miners killed this year**

According to secretary-general of the Pakistan Central Mines and Labour Federation, Lala Sultan, at least 104 coal miners have lost their lives in the province this year, including the ones who died in a gas leak incident in September.

The Human Rights Commission of Pakistan (HRCP) had on Friday expressed concern over human rights violations and bad working conditions in Balochistan's coal mines.

Addressing a press conference at the Quetta Press Club, veteran member of the rights body Husain Naqi had said the HRCP's fact-finding mission was concerned to find that coal miners remained vulnerable to human rights violations.

The HRCP also highlighted that the compensation for death and injury is lower in Balochistan (i.e. Rs300,000) compared to other provinces (Rs500,000).

The rights body had also recommended that the government upgrade the status of the coal mining sector to industry and hold both mine owners and contractors accountable for running their sites in line with the provisions of the Mines Act of 1923 and subsequent amendments.

**SOURCE: DAWN, NOVEMBER 21, 2021**

# Taming violent outfits

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FAISAL ALI RAJA

The Tehreek e Labbaik Pakistan (TLP) brings out the inner conflict between the state and the society. The elasticity of the conflict is a function of the manipulated space of action available for any extremist group or groups to operate in the country. The emergence of these groups has various factors of motivation but their growth depends upon their ability to make space for themselves. Sometimes, they jostle for it by intimidating the local district administration; at times they engage in active extremism through narrative building on communication networks; but in acute circumstances they confront the LEAs as they are stopped forcefully through state apparatus. The strength of their followers wins them the extra space through creating extreme law and order situations which also promotes vigilantism in rank and file of these groups. The external environment has an appreciable impact in their expansion. As these groups spread their tentacles across the provinces, the diversity of their patronage exhibits shades of factionalism in them. Owing to the type of response against their followers, their violent streaks get metastasised through formation of violent factions in these groups.

For example, Sipah-e-Sahaba Pakistan (SSP) emerged in mid-1985 as a response to Shia sectarian advancement. They quickly gained ground as they found ample supporters and financiers at home and abroad. The Afghan jihad contributed a lot to their expansion. Their association with different violent extremist groups turns the spotlight on their activities. A more violent faction under the banner of Laskar-e-Jhangvi (LeJ) came to the fore in mid-1990s which further ignited violent sectarianism in the country. The SSP joined political bandwagon and were represented in the National Assembly as well. Nonetheless, its violent streak remained intact and many of its members gave tough time to the LEAs. In 2015, nearly two dozen members of LeJ top tier leadership were killed in Muzaffargarh in an engagement with Counter Terrorism Department (CTD) Punjab. Since then, the group has been in search of an active leadership to perpetuate violence in the country. In absence of any structured national deradicalisation programme, the old passions still simmer among its hardcore elements but fail to accumulate enough support to stage an impressive activity. Their relevance in a particular social setting persists as its narrative remains attractive among their followers or other groups having similar ideologies.

The return of a proscribed organisation into the political fold is an encouraging exercise albeit with certain conditions and requirements. The section 11(U) of Anti-Terrorism Act 1997 stipulates the conditions of de-proscribing an organisation. A proscribed organisation must prove to the satisfaction of the federal government that the reasons of its proscription cease to exist. It means that some sort of evidence must be given to the government in form of material or otherwise about its activities including non-participation in arson, road blockades, hate mongering and working against public tranquility and peace. The acceptance of evidence is the prerogative of the government. The more transparent the procedure of evaluation of such evidence, the more

deterrence it gains among the leadership of other proscribed organisations. Even after de-proscription, the government should tell a de-proscribed organisation to disassociate itself permanently from the violent elements in its fold. Such individuals should also be closely monitored otherwise they may be used by other internal or external violent actors. A larger question that arises out of TLP de-proscription is whether an honest recalibration of the proscribed organisations is carried out in accordance with the ground realities or not? The answer to this query provides a suitable framework of de-proscription. Unfortunately, once an organisation enters into the proscribed list, its de-proscription remains enigmatic, complex and intricate. As a result, TLP is the only group which has been de-proscribed from the list of 79 proscribed organisations.

There are three categories of violent groups on the list of proscribed organisations. One, organisations which purely perpetuate violence with transnational religious objectives. Two, those which harp upon sectarianism at home to profess violent ways and means. Three, who rely on ethnic composition to put forward their aims and objectives. The last two are more dangerous than the first one. Pakistan may face the scourge of sectarianism and ethnic terrorism in future and it is necessary to limit the space of such organisations in the country. No shortcut methods can end the violent streaks among these groups. Hence, promotion of a tolerant, moderate and less violent leadership can tame them in the long run.

**SOURCE: THE EXPRESS TRIBUNE, NOVEMBER 23RD, 2021.**

## Blasphemy case against four family members



Police had the allegations verified from the locals and others and lodged a case when the matter was brought to the notice of senior police officers.

**The Burki police at Lahore lodged a blasphemy case against a man and his three sons after his wife visited a local mosque to ask for an announcement to be made about the death of a Christian neighbour and the prayer leader alleged the family insulted Islamic laws.**

The incident took place at Khodi Khushal Singh village early on Nov 18 and the first information report (FIR) was registered against the four Muslim men on the complaint of a member of the mosque committee.

An official said the mosque prayer leader had told the woman that Islam only allows them to make announcements for funeral of Muslims.

According to the FIR, the woman went back and told her husband about the situation. The husband and his sons got furious, went to the mosque and allegedly argued with the prayer leader.

The issue went viral on social media where human rights activists condemned the incident, calling it a misuse of blasphemy laws.

Cantt Division Superintendent of Police Eesa Sukhera said the woman who had visited the mosque and her family members were Muslim. Police had the allegations verified from the locals and others and lodged a case when the matter was brought to the notice of senior police officers.

He confirmed that Christian residents of the area had nothing to do with the incident.

There were reports of some Christian residents of the village having shifted with their relatives to other parts of the city in fear.

**SOURCE: DAWN, NOVEMBER 25TH, 2021**



## Three security men martyred in Balochistan



A photo of members of the security forces deployed on duty.

**QUETTA/DERA MURAD JAMALI:** Two security personnel were martyred in an attack and one in a landmine blast in Makran and Sibi areas of Balochistan.

According to a statement issued by the Inter-Services Public Relations (ISPR), a group of externally sponsored terrorists opened fired on a check-post of security forces in the Tump area of Makran. It said security forces responded with all available weapons in which terrorists suffered heavy losses.

During the engagement, however, Sepoy Naseeb Ullah, a resident of Kharan, and Sepoy Insha Allah, a resident of Lakki Marwat, sacrificed their lives fighting valiantly.

The ISPR said that security forces remained determined to defeat acts of cowardly terrorists, aimed at disrupting peace, stability and progress of Balochistan.

Meanwhile, a security man was martyred and four others, including two FC men, were injured in a landmine explosion and a bomb blast in Sibi district.

According to officials, three personnel of the Frontier Corps were patrolling the Babar Kach area of Sibi when one of them stepped on a landmine planted by miscreants in bushes. He lost his life on the spot while two others were injured in the blast.

Security forces rushed to the site and shifted the body and the injured to the Combined Military Hospital in Sibi.

Two workers were injured in a bomb blast in Sibi Town. According to officials, the labourers were busy in construction work when one of them went to shift a cement bag containing an explosive device which exploded with a big bang, injuring two workers. They were identified as Mohammad Fazal and Majid Khan. Both belong to Punjab.

**SOURCE: DAWN, NOVEMBER 25TH, 2021**

## UN launches effort to end violence against women by 2030

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A photo of UN Secretary General António Guterres.

**UNITED NATIONS:** UN Secretary General António Guterres urged governments on Thursday to redouble their efforts for ending violence against women by 2030 as the world began 16 days of activism to highlight the issue.

“Violence against women is not inevitable,” the UN chief said in a message. “Change is possible, and now is the time to redouble our efforts so that together, we can eliminate violence against women and girls by 2030.”

For thirty years, the United Nations observes the International Day for the Elimination of Violence against Women and this year it also kick-started 15 days of activism to highlight the issue across the globe.

In Washington, US Secretary of State Antony Blinken described gender-based violence as the ‘shadow pandemic’ and emphasised the need to combat it as an emergency.

“We recommit to preventing and responding to gender-based violence as a moral and strategic imperative, as a fairness and equity issue, and as a driver of our collective prosperity and security,” he said.

In New York, UN Women chief Sima Bahous said gender-based violence (GBV) was a global crisis. “In all of our own neighbourhoods, there are women and girls living in danger.

Around the world, conflict, climate-related natural disasters, food insecurity and human rights violations are exacerbating violence against women,” she said.

The United Nations also issued a report, pointing out that more than 70 percent women have experienced violence in some crisis settings.

The report shows that in both rich and poor countries alike, gender prejudice has fuelled acts of violence towards women and girls. And this violence “often goes unreported, silenced by stigma, shame, fear of the perpetrators and fear of a justice system that does not work for women,” Ms Bahous said.

According to this report: Nearly 1 in 3 women experience violence at some stage and during crises, such as the Covid-19 pandemic, the violence increases.

Data from 13 countries since the pandemic, shows that 2 in 3 women reported living in fear of violence and food insecurity during the pandemic. Only 1 in 10 women said that victims would go to the police for help.

Stopping this violence starts with believing survivors, adopting comprehensive and inclusive approaches that tackle the root causes, transform harmful social norms, and empower women and girls. With survivor-centred essential services across policing, justice, health, and social sectors, and sufficient financing for the women’s rights agenda, “we can end gender-based violence,” the UN report adds.

The UN also suggests long-term strategies that tackle the root causes of violence, protecting the rights of women and girls, and promoting strong and autonomous women’s rights movements.

UN partner countries last year witnessed a 22 per cent increase in prosecution of perpetrators; 84 laws and policies were passed or strengthened; and more than 650,000 women and girls were able to access help – despite pandemic-related restrictions.

**SOURCE: DAWN, NOVEMBER 26TH, 2021**

## Living in fear

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THE registration of a blasphemy case against four members of a family from a village on the outskirts of Lahore has once again brought into focus the extensive misuse of the law to settle personal scores and grab victims' property or attack their beliefs.

The latest case registered on the complaint of a local prayer leader, who was approached by a family member more than a week ago to make a public announcement about the funeral of a Christian neighbour, also underscores the police's tendency to register a case without investigation into allegations in order to keep the situation under control.

Although the exact figures are not available, at least 1,855 people were booked under the blasphemy law between 1987 and 2020. This includes formal charges as well as allegations. The actual number of victims, however, is believed to be much higher. Muslims (47.9pc) represent the largest faith identity accused of or charged with blasphemy followed by Ahmadis (33.3pc), Christians (14.5pc), Hindus (1.8pc) and others (2.4pc).

That the enactment of the blasphemy law in its present form by the Zia regime and its unchecked misuse makes non-Muslims live in an atmosphere of unending fear is an understatement. The arbitrary application of the law has squeezed the space for enlightened debate on issues related to religion, and deepened extremism and bigotry in society.

We have seen people falsely convicted, lynched, shot and knifed to death, and mob attacks on entire communities merely on the suspicion of blasphemy, with most culprits getting away scot-free. The murder of Punjab governor Salmaan Taseer by a member of his security detail in 2011 for supporting changes in the law to stop its misuse is justly referred to as a watershed in the country's history. The abuse of the law against the innocent, as pointed out by the Supreme Court, is impossible to stop in the absence of "adequate safeguards against [its] misapplication or misuse ... by motivated persons". It's time for politicians to stand up to defend the vulnerable from the law's misuse.

**SOURCE: DAWN, NOVEMBER 27TH, 2021**



# Bulwark for Minorities in Pakistan

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BY HASNAAT MALIK

Despite all the criticism on the misuse of public interest jurisdiction under Article 184 (3) of constitution, Supreme Court of Pakistan is playing an effective role for ensuring the rights of minorities. Since restoration of judiciary in March 2009, every chief justice initiated judicial proceedings to protect minorities rights in the country.

Recently a delegation of European Union Parliament visited Pakistan and expressed its serious concern over the insecurity of minority communities as well as misuse of blasphemy law. In view of international community's concerns, there is need to highlight the Supreme Court efforts to protect minorities rights for last eight years.

Efforts of incumbent CJP Gulzar Ahmed cannot be ignored to end sense of insecurity among minority communities. He is taking courageous steps to send a strong message to the extremist elements that the judiciary will not spare anyone who are involved in the misuse of minorities rights. However, there is need to do much more for proper representation of minorities in different fields especially on the bench. It is a matter of concern that no judge belonging to minority community is working in the superior judiciary. There are also a few extremely competent Ahmadi lawyers but they are not being considered on account of their security.

However, Attorney General for Pakistan's (AGP) office has taken initiative by appointing a couple of minorities lawyers as law officers in different provinces. It is being suggested that like SC Human Rights cell, a separate cell should also be established to entertain applications regarding grievances of minorities in the country.

Pakistan People's Party (PPP) is again taking lead by appointing Advocate Salman Talibuddin, who belongs to the Christian community, as chief law officer of the province (Advocate General Sindh).

Barrister Asad Rahim Khan says that the Supreme Court's role in protecting freedom of religious expression used to be important, but as minorities are increasingly pushed to the margins of society, it is now nothing short of necessary.

Asad Rahim Khan also said that Chief Justice Tassaduq Hussain Jilani's judgment on Article 20 righted many historical wrongs, and has gone some distance towards being implemented. The SC's pro-minority attitude was also in evidence in real-life situations, as when Chief Justice Jawwad S. Khawaja protected a Hindu temple from extremists in Karak, and Justice Khosa wrote a courageous concurrence acquitting Aasia Bibi.

"That said, these declarations of law cannot be meant to arrest the general trend towards intolerance within society, much of it boosted by the rise of new religious parties, and the state's

kowtowing to extremists. In light of no help from alternative quarters, it is yet again the SC that will have to shoulder the brunt of executive failure, the most outrageous one being the conversion of Hindu girls by organised networks in Sindh and Punjab,” he adds.

It was witnessed that during his tenure (March 2009 to December 2013), former chief justice of Pakistan Iftikhar Muhammad Chaudhry took notices on the several incidents of forced conversion in the province of Sindh and the attack on the Christian community at Gojra.

In March, 2013, ex CJP Iftikhar had taken notice of the mob attack in Joseph Colony, which is located in Badami Bagh, Lahore. The apex court had summoned Inspector General Punjab Police and Advocate General Punjab over the incident. Over 100 homes in the Christian neighbourhood were ransacked and set ablaze by an angry mob on March 9, 2013 after an individual from the area was accused of blasphemy.

However, the biggest contribution was made by his successor former chief justice Tassaduq Hussain Jilani by giving a landmark judgment regarding protection of minorities on June 19, 2014. His successors-initiated proceedings for implementation of 2014 ruling.

### **SC's landmark judgment on protection of minorities**

Former CJP Tassaduq Hussain Jilani had initiated suo moto proceedings under Article 184(3) of the constitution on a letter received from the Justice Helpline, an NGO, regarding an attack on a Church in Peshawar in which 81 persons died on September 22, 2013. Complaints were also received from adherents of Hindu faith and it was prayed that the Court should direct the authorities to take remedial measures so that their places of worship are protected. Similarly, ex CJP also clubbed another issue that the Kalash tribe and Ismailies in Chitral were being coerced to convert to a different sect within Islam or to face death.

During the course of proceedings, following ten issues related to minorities were brought.

The three-judge bench of the apex court led ex CJP Jilani considered all such issues and passed a 32-page landmark ruling on June 19, 2014.

The judgment noted that desecration of places of worship of even a non-Muslim is an offence under the Pakistan Penal Code (PPC) 1860.

The judgment also said that “there is a general lack of awareness about minority rights among the people and those entrusted with enforcement of law are also not fully sensitised to this issue either. It needs to be reiterated that under the Constitution minorities have a special status. This Constitutional status has a historical background. It would be counter intuitive if the right to freedom of religion enshrined in Article 20 is interpreted in the manner which has the effect of encroaching upon religious freedoms of minority religions in Pakistan,” says the judgment.

The court referred several articles of constitution to substantiate the religious freedom of minorities.

The judgment also noted that the Supreme Court, being the apex court in a liberal democracy, is mandated to protect and defend the constitution which embodies the fundamental rights of its

citizens. Thus, while deciding cases entailing inter-faith or intra-faith conflicts, the Courts should keep in view the fact that there are some in every faith who seek to interpret religion in myopic terms.

Some of the directions by the court included that the Federal Government constitute a taskforce for developing a strategy of religious tolerance, develop an appropriate curriculum at school and college levels to promote a culture of religious and social tolerance, and take steps to ensure that hate speeches in social media are discouraged and the delinquents are brought to justice under the law.

### **Implementation of SC Judgment**

Soon after the retirement of ex CJP Tassaduq Hussain Jilani, his successor Nasir ul Mulk constituted a bench for the implementation of June 19, 2014 judgment.

After that, almost every chief justice resumed proceedings for the compliance of SC's landmark ruling. Former chief justice Mian Saqib Nisar had taken suo motu notice on the dried-up Katas Raj temple pond.

Katas Raj is located near the interchange for Kallar Kahar, off the M2 Motorway that connects Islamabad and Lahore. According to Hindu mythology, the pond was formed from the tears of Shiva, who went uncontrollably over the loss of his wife Sati.

But the pond, which continues to be one of the holiest Hindu sites in the region, is drying out. Several hearings were conducted to ensure water in the pond during tenure of ex CJP Nisar.

### **CJP's bold directions**

Incumbent CJP Gulzar Ahmed has taken notices regarding the protection of minorities' worships. He also passed coercive orders against those who were involved in the incidents wherein minorities' worships were attacked.

CJP Gulzar Ahmed took notice of the attack on a Hindu temple by a charged mob in Bhong village of Punjab's Rahim Yar Khan district.

In December last year, the CJP also took notice on the burning of a Hindu temple in Karak. A bench led by CJP Gulzar Ahmed directed the Khyber Pakhtunkhwa (KP) government to recover the cost of the rehabilitation of Samaadhi from those who are responsible in causing the destruction.

Criminal cases have been registered against 123 miscreants/accused involved in this incident. The CJP asked the KP government to recover the Rs.33.0669 million cost, which was spent on the renovation of Hindu temple.

KP government recently informed the SC that the amount from individuals, who have caused destruction of Teri Mandar, that recoveries have been made from a list of 11 persons. Out of a total number of 123 people, about 68 persons are stated to have executed a bond/undertaking to make the payment.

The court directed that amount so collected is utilised for the upkeep of the Mandar so also for the infrastructure development of the area and for the benefit of the people, who are settled in and around the Teri Mandar, in that, proper road shall be constructed leading to the Mandar from the main road and the Mandar as well as the residents of the area, shall also be provided with the water facility and proper water lines in this respect shall be laid.

“Proper drainage system shall also be provided to the residents of the area so that no filth or dirt is accumulated in the area and constant effort is made to keep the town of the Teri clean, neat and tidy in all respect. Proper playgrounds and parks should also be made available to the residents of Teri,” says the order.

CJP himself visited at the place in this month. Everyone has appreciated Justice Gulzar's keen interest for the protection of Hindu community worship.

In response to conformity of National Curriculum/text books, the KP government stated that Elementary & Secondary Education Department in the instant case was asked to provide the requisite certificate, which though has already been provided by the department informing therein that hate material has been removed from the books of Grade I-V. However, the Elementary and Secondary Department has also mentioned that “the single National Curriculum 2020 for Grade 1-V has been developed by the Ministry of Federal Education and Professional Training, Islamabad through National Curriculum Council.

Pakistan Hindu Council Chairman Dr Ramesh Kumar, who assisting the bench since 2014, has lauded the efforts of Supreme Court of Pakistan for the protection of minorities. Even he said that neighbouring country's Supreme Court should also follow Supreme Court of Pakistan as how it is taking measures for the protection of minorities rights.

Dr Ramesh thanked incumbent CJP to visit Hindu worship places on his invitation. He said that since 2014, every chief justice gave priority to redress the concern of minorities.

Ramesh also making documentary on the SC's efforts regarding protection of minorities. He also planning to hold a grand conference on minorities rights wherein CJP Gulzar Ahmed and other top state functionaries will be invited.

The implementation bench has passed directives to federal and provincial governments to ensure jobs to minorities according to their quota. It is learnt that there is much progress on the compliance of SC's directions in this regard.

The federal and provincial governments are also complying the SC's direction to form task force for the security of worship of minorities. However, despite SC's direction, drastic changes have not so far been made in changing the curriculum.

### **Supreme Court and Blasphemy laws**

Issuing a written order on the dismissal of Mumtaz Qadri's appeal against his death sentence, the country's top court had urged the state to ensure that no one is forced to endure an investigation or trial on the basis of false blasphemy allegations.

Authoring the 39-page verdict, Justice Asif Saeed Khosa had said Qadri had murdered Taseer on the basis of nothing but hearsay. "It is an unfortunate fact which cannot be disputed that in many cases registered in respect of the offence of blasphemy, false allegations are levelled for extraneous purposes." He said that in the absence of adequate safeguards against abuse of the blasphemy law, people falsely accused of the offence suffer irrevocably.

The order said any call for reform in religion-related laws should be seen as a call for introducing safeguards against abuse of such laws, adding that it should not be interpreted as a call against the religious aspects of the offences covered by the laws.

Despite immense pressure by the religious groups, Supreme Court of Pakistan also acquitted Christian woman Asia Bibi in blasphemy case in October 2018.

She was awarded death sentence by trial court and same was upheld in the Lahore High Court. She was remained in imprisonment for almost a decade. After the announcement of judgment regarding acquittal of Asia Bibi, a religious party had started agitation against Supreme Court and other state institutions. However, the international community lauded the SC ruling to acquit Christian woman in the case.

Recently, the Lahore High Court has also acquitted Christian couple who were on death row in blasphemy case. Despite pressure, the superior courts give justice to those who are being wrongfully accused in blasphemy cases.

Supreme Court through various orders and from time to time reminded the Evacuee Trust Property Board (ETPB) of its obligations in relation to the up keep and maintenance of religious sites of the minorities in particular Hindu and Sikh temples.

Recently, Pakistan Hindu Council submitting a report revealed that a total of 1,831 temples and guardawars across Pakistan which are under the purview of the ETPB and out of this large number only 31 are functional, the remaining temples are either closed or encroached or are given on lease to third parties. The court has also taken strong exception over the working of ETPB.

The apex court has directed the Federal Investigation Agency (FIA) to take action on the report of the Auditor General of Pakistan (AGP) regarding alleged irregularities in property units of the Evacuee Trust Property Board (ETPB).

**SOURCE: THE EXPRESS TRIBUNE, NOVEMBER 28, 2021**



## Mob sets Charsadda police station on fire after officials refuse to hand over alleged blasphemy suspect

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The police station set on fire by a mob in Charsadda can be seen in this screengrab.

**A mob attacked and set on fire a police station in Khyber Pakhtunkhwa's Charsadda district on Sunday, demanding that authority's hand over a man arrested for allegedly desecrating the Holy Quran.**

KP Law Minister Fazal Shakoor Khan, who hails from Charsadda, told Dawn.com that police had arrested a man for allegedly desecrating the Quran on Sunday and shifted him to the Mandani police station in Charsadda's Tangi tehsil.

A mob later gathered outside the police station and demanded that official's hand over the man to them. When police denied their demand, the mob, which had grown to a sizeable number by late evening, grew agitated and attacked the police station and set it on fire. They also vandalised the vehicles parked in the police station, according to the minister.

He told Dawn.com that police managed to shift the suspect to a safe location.



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A mob set a police station on fire in Khyber Pakhtunkhwa's Charsadda district on Sunday, after officials refused the protesters' demand to hand over a man arrested for allegedly desecrating the Holy Quran.

A police official said the police station was completely destroyed in the attack, adding that a number of vehicles and police records were also lost to the fire.

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"The government will not allow anyone to take the law into their own hands," he said. "The suspect who has been arrested will be proceeded against in accordance with the law."

The minister added that the situation was still tense in the area.

Given the current law and order situation, police have yet to release more details about the man in custody and the complaint against him. Police also did not confirm any casualties in the violence.

Peshawar Division Commissioner Riaz Mehsud confirmed the attack, saying 4,000-5,000 people had ransacked the police station and a police post in their pursuit for "mob justice".

He added that the man is in police custody and is safe.

Following the attack, the mob staged a sit-in on Harichand Road. But late at night, Mehsud said the administration had controlled the situation with the help of local religious elders, and the mob had ended the sit-in and dispersed.

Earlier, Charsadda police spokesperson Shafiullah Jan confirmed that a mob had attacked the police station and that the situation was tense in the area. He added that police were trying to control the situation.

"The mob was angry and police failed to control it," a police official requesting anonymity told Dawn.com.

"The situation is still tense and police personnel from other areas have also reached the spot to control the mob," he said.

Eyewitnesses said the police had used tear-gas shelling and aerial firing to disperse the mob.

Another police official said that the police station had been completely destroyed, adding that a number of vehicles and police records had also been lost to the fire.

The mob also attacked and set ablaze a police officer check post on Harichand Road and also blocked the road for traffic, a police official told Dawn.com.

**SOURCE: DAWN, NOVEMBER 28, 2021**

## Mohammad Ziauddin — a fiercely independent journalist

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A photo of veteran journalist Muhammad Ziauddin who passed away in Islamabad.

### **Ziauddin was among the last of titans in journalism and newspapering world.**

These were the words uttered by Farhatullah Babar, who is known as human rights activist more than his position as the PPP secretary general, after attending the funeral of veteran journalist Muhammad Ziauddin, who passed away early Monday morning after a brief illness. He was 83.

“The trophies he won as a professional journalist were vastly different and immeasurably superior to the glittering medals worn on the chests. The trophies that came his way without his seeking indeed are intangible. Unlike the medals worn on chests, they never gather dust,” remarked Mr Babar, who also has a journalistic background, while recalling a number of instances when Ziauddin flatly refused to get any favour from those in power throughout his “illustrious career” spanning nearly 60 years.

The most befitting description of late Ziauddin’s professionalism came from Information Minister Fawad Chaudhry who declared him as “the most capable and fiercely independent journalist” he had ever encountered.

Every ruler wanted to see Ziauddin in the interview panel only to provide some legitimacy and credibility to his or her actions, but at the end, they found themselves in deep trouble and fully exposed before the nation.

During the second tenure of Benazir Bhutto in 1994, once Ziauddin Sb and Ghazi Salahuddin reluctantly interviewed Asif Ali Zardari for state-run PTV and blatantly asked questions about the stories of his corruption. The interview was never telecast.

The journalists around the world still remember the incident when then military dictator Gen Pervez Musharraf during a talk at a think tank in London in 2007 got annoyed with Ziauddin, who was working as Dawn correspondent in the UK after getting retirement as resident editor of the daily, over a question about the safety of the country's nuclear assets and publicly called him a traitor.

In his recent interview to senior journalist Kamal Siddiqui published on the Samaa TV website, Ziauddin narrated the whole incident as to how later, while addressing the Pakistani community, Gen Musharraf recalled his altercation with him and instructed the audience 'do-teen tika dain' (slug him a few) if they saw him.

The next day all the major newspapers pegged their stories on the Ziauddin-Musharraf spat except Dawn because: "We are journalists and we do not become the story," Mr Siddiqui quoted Ziauddin Sb as having stated.

Born in Indian city of Madras (now Chennai) in 1938, Muhammad Ziauddin had migrated to Dhaka, the then East Pakistan, with his family in 1952. He had obtained a bachelor degree in pharmacy from Dhaka University before moving to Karachi in 1960 where he did masters in journalism from Karachi University. He started his journalistic career as a junior reporter in Pakistan Press Agency (which later became Pakistan Press International) in 1966.

In 1974, Ziauddin joined weekly Pakistan Economist and started doing reports on the subjects of finance and economy. In 1976, he became assistant editor of Morning News. However, he moved to Islamabad in 1978 and joined The Muslim as a member of the founding team of the newspaper.

Ziauddin had the longest association with Dawn, which he had joined as an economy reporter in 1982. And the very next year, he got APNS Award in the category of best investigative story for his report captioned "The untold story of IMF conditions" in which he had exposed the tough conditions attached with the IMF programme for the first time.

Through his hard work, he became the bureau chief of Dawn's Islamabad office in 1990, a position he held till March 2001, when he became the first resident editor of the newspaper after the launching of its edition from the capital. It was after him becoming the resident editor that the newspaper came out with special Economic and Business Review pages, known as EBR, which were later turned into Business and Finance.

Ziauddin, who is known as one of the pioneers in finance reporting, had also joined The News in 1994 but left the organisation within months and rejoined Dawn after developing some differences with the management and due to interference from the top in editorial matters. He worked as resident editor of Dawn Islamabad till 2005 and then moved to London to work as its



foreign correspondent. He, however, returned to the country, mostly because of unsuitable weather conditions for him as he was a heart patient with asthma.

Ziauddin also worked as executive editor of Express Tribune from 2009 to 2014.

He was very pro-worker and also known as a trade unionist. He also held the office of assistant secretary general of the Pakistan Federal Union of Journalists (PFUJ) in the 1970s. Despite holding an executive office, he was always found among the working journalists and media workers during their protests on non-implementation of the wage board awards and on the issue of press freedom.

He had also served as president of the South Asia Free Media Association (Safma) that was established to promote networking among the media community, improve professional standards, facilitate journalists' exchanges and media trainings and undertake joint media productions in the region.

Condolences started to pour in from the country's journalist and media community, civil society and the political leadership with people paying tributes to late Zia Sb.

Senior journalist Mubashir Zaidi called Ziauddin an "icon of Pakistani journalism".

Human Rights Minister Shireen Mazari remembered him to be "a man of principles, polite in discussions and debates, never adopting an accusatory tone".

Political analyst Mazhar Abbas said Ziauddin was not only an "outstanding journalist" but also "an iconic figure and a guide for all the young journalists".

"Ziauddin sahib's struggle was not just against dictators; he put up with his fair share of irascible seniors and weak media owners .... By attempting to document some of these stories, I hope to remind the next generation of Pakistan's journalists that they can prevail," Mr Siddiqui had written in the introduction of the interview he conducted with Ziauddin Sb a few months ago.

Meanwhile, the PFUJ announced a three-day mourning. The union says it has suspended all activities for three days and that offices of the journalist body would hoist black flags to mourn the death of the veteran journalist.

In a statement issued on Monday, PFUJ president Shahzada Zulfiqar and secretary general Nasir Zaidi said the death of Ziauddin was not only a great loss for the journalist fraternity but also for all those who worked for rule of law, supremacy of parliament and upholding fundamental rights of all Pakistanis.

Dr Masuma Hasan, president of the Aurat Foundation, on behalf of the Board of Governors, senior management and staff of the organisation, expressed deepest condolences on the death of the veteran journalist, who was also a board member of the organisation. "Mr Ziauddin is widely considered to be a teacher of teachers among Pakistan's contemporary journalists. He has left behind a legacy of speaking truth to power," she said.

With his departure, Pakistan's civil society and media industry have lost one of its leading and most well-respected advocates for human rights, democratic values, media professionalism and journalistic integrity.

The Trust for Democratic Education and Advocacy also condoled the demise of Ziauddin, who was associated with the organisation as its chairperson till his death.

Late Ziauddin has left behind a widow, two sons and two daughters to mourn his death. He was laid to rest at the Media Town graveyard. His funeral was attended by a large number of his old associates, journalists, politicians, members of civil society and Islamabad High Court Chief Justice Athar Minallah.

**SOURCE: DAWN, NOVEMBER 30TH, 2021**