

# Junaid Hafeez: Condemned forever?

(Dawn, 15 May 2016)

In his early 60s now, Mr Hafeez is a soft-spoken and kind man but he smiles rarely or not at all.

Although sleep-deprived and fatigued, his eyes glimmer with memories of times that were, and hope for the days to come. He travels 200km every week, from Rajanpur to Multan, to meet his eldest son in incarceration.

Mr Hafeez's son is no ordinary inmate — his name is Junaid Hafeez, formerly a visiting faculty member at Bahauddin Zakariya University (BZU), Multan's, Department of English Literature.

He was arrested on March 13, 2013, after an FIR was registered accusing him of having committed blasphemy. It was while preparing Junaid's legal defence that human rights activist and lawyer Rashid Rehman was gunned down. The case is sub judice.

Junaid has been lodged in the high-security ward number 2 of New Central Jail Multan. The on-duty policemen at the jail are often rude to his father; they don't let him meet his son on any day other than Monday.

His son tells him that he is not even allowed to meet his lawyer for consultation in private; in a separate room where no prison staff monitors them and listens to their conversation. Despite his lawyer's repeated requests for privacy, officials have denied them this right on the pretext of security.

When the case first came to prominence in 2013, finding a lawyer to defend Junaid wasn't an easy job for his father. "I found a lawyer named Mudassir but on his first day, he was harassed by some 200 lawyers who had gathered to protest against him," recalls Mr Hafeez.

At this point, director of Human Rights Commission of Pakistan (HRCP), I.A. Rehman, referred him to the late Rashid Rehman — a Multan-based lawyer who was also the HRCP's organiser in Multan.

Mr Hafeez still remembers how Rashid had reviewed the case even before he was approached. "He had studied the case thoroughly, went on campus to find the facts, and was totally prepared."

Later on, while talking to the BBC, Rashid had stated that taking such cases meant walking into the jaws of death. It was Rashid who had provided legal defence for Senator Sherry Rehman in a blasphemy case registered in Multan; he was physically assaulted for representing her.

At one hearing in the Junaid case, the prosecution lawyer, along with two third-party lawyers, threatened Rashid in open court to “leave the case or he wouldn’t be able to come to the next hearing”.

Despite the history and nature of active threats, no heed was paid to complaints lodged by the defending lawyer with the Multan police. Nor was any attention paid to a letter of concern sent by the HRCP to the Punjab government in April that year, expressing apprehensions about threats to Rashid’s life not being taken seriously.

But hope did arrive, some four months later, in September 2014, when the current lawyer (who prefers not to be mentioned by name) decided to take up the case — albeit from Lahore and not in Multan.

The lawyer now travels almost every other week from his hometown and has since been able to dissect claims and testimonies being made in the court.

And yet, defending Junaid has not been easy for this Lahore-based lawyer as he is constantly forced to look over his shoulder for any potential assailants. It is only recently that police cover is provided to him whenever he visits Multan for case proceedings in the Central Prison.

Back in September 2014, he had petitioned to move the case from Multan to Lahore — a practice recommended by the law if the life of anyone involved, especially on the side of the accused, is in danger.

The then chief justice of the high court rejected the petition, commenting that there was not enough evidence to support the contention that the life of the accused or anyone representing him would be at risk.

To consult with Junaid privately for a critical hearing the next day, the lawyer travelled to Multan — only to find that prison staff on duty wouldn’t allow him to enter the prison because it was past noon. Prison officials refused to let him talk to his client over the wireless and he had to return.

Photos courtesy: Junaid Hafeez via Jackson Free Press

The next day the hearing didn’t take place as there was no electricity in the prison.

This, of course, was the umpteenth time that the case was adjourned despite the fact that the lawyer and Junaid’s father travelled to Multan, which cost Mr Hafeez and his family thousands of rupees.

Meanwhile, the scholar from Rajanpur immerses himself in reading books even as he sees such impediments in case proceedings. “I bring him books from his collection on a regular basis; he has over 6,000 books in his library,” Junaid’s father says.

Junaid bid farewell to studying medicine at the King Edward Medical College after his first year of MBBS and entered BZU to pursue a degree in English literature.

At the BZU, he stood first, shattering a 38-year-old record by scoring a 3.99 GPA in BA Honours.

Junaid was one of five Pakistani students selected under the Fulbright Scholarship Programme to complete their Masters from the United States.

Junaid proceeded to Jackson State University, where he studied American literature, photography and theatre. “He had a contract which obliged him to return to Pakistan after completing his degree. He also wanted to complete his MPhil research in Pakistan,” explains Mr Hafeez.

After returning home, he rejoined the BZU’s literature department, this time as a lecturer. Despite the conservative environment on campus, Junaid found secular space and academic freedom in the department, which was headed at the time by Shirin Zubair.

Junaid would often invite women-rights activists on campus to deliver guest lectures and engage with students.

One of those was Qaisra Shahraz, who penned the award-winning PTV drama serial Dil he to hai. At her guest lecture at BZU, which was arranged after securing permission from the university’s vice chancellor, some students accused Hafeez and Shahraz of having passed blasphemous remarks. Later, Junaid was also charged with ‘supporting’ the themes in Shahraz’s novels.

The blasphemy allegations put Junaid behind bars while Zubair had to flee Pakistan.

One of the witnesses later produced by the prosecution to testify against Junaid reiterated the same accusations that were levelled at them back in BZU. Junaid’s lawyer brought Shahraz’s books to court and asked the witness to pinpoint the blasphemous content to the judge. The witness couldn’t — he could neither read nor understand English.

When the Multan police registered a case against Junaid; they did so based on some printouts of offensive material attributed to Junaid, which the defence attorney believes was doctored. Junaid was arrested from Lahore and brought back to Multan. Later, he was shifted to Sahiwal jail. His computer was seized and the police forced him to reveal his login details — without any court order and due process as required under the law.

The Multan police subsequently interpreted the content and decided what was blasphemous and what was not — a move that Nighat Dad of the Digital Rights Foundation finds very problematic. “Police have the powers to seize data, but in this case, the accused wasn’t provided with any legal representation,” says Dad.

Commenting on the circumstances under which the case against Junaid was registered, the International Commission of Jurists (ICJ)’s legal advisor for Pakistan, Reema Omer, argues that the evidence produced by the prosecution till now is not legally sufficient for the registration of

an FIR, let alone a conviction for blasphemy under 295-C, which carries a mandatory death penalty.

“The misuse of Blasphemy Laws, particularly 295-C, and the violation of fair trial rights is a widespread and systematic issue in Pakistan,” comments Omer. She calls for considering all facts of the case and the evidence against Junaid.

“If it can be proven that the case was filed maliciously, not only should Junaid be acquitted but there should also be criminal proceedings against those who committed perjury to wrongfully frame him,” Omer asserts.

Meanwhile, life in prison is hard for Junaid but he has not given up hope just yet. He keeps on motivating his parents, but even they know that his isolated cell in prison is too hot in the summers and too cold in the winters.

“Junaid’s mother hasn’t attended any wedding functions since he was arrested. She doesn’t step outside her home much anymore; only once nowadays, to visit Junaid. She can’t sleep the whole night,” his father states while trying to hide tears in his eyes.

While the name Junaid Hafeez adorns the honour board at Jackson State University, he himself lies on a concrete floor in a jail cell, waiting for his case to inch forward.

## **Strangers in their own country: Jhelum survivors recount their stories**

(Pakistan Today, 24 December 2015)

It was just another day for Arsalan, who worked as a Sales Manager at Pakistan Chipboard Factory when he was informed about police arresting the Security In-charge of the factory over allegations of desecrating the Quran.

Working past his office timings, he issued a gate pass to the carriage van whose driver told him about someone from the factory burning the pages of the Quran. Staying calm, he told the driver to let the police investigate for they were to decide what happened.

Located on GT Road, Pakistan Chipboard Factory deals in Furniture, Chip Boards and Woodwork. Owned by an Ahmadi, it employs more than 200 people – mostly local. Interestingly, a majority of those employed at the factory belong to opposite sects.

Most communities publish their newspapers with the motive of voicing their concerns, issues and opinions. The Ahmadiyya community also owns one such newspaper, named 'Al-Fazl'. First published in 1913, Al-Fazl has been consistent throughout the years with its publishing stopped only when censored by the state.

Ahmadi employees at Pakistan Chipboard are regular subscribers of Al-Fazl and they dispose of the papers after some time – a practice considered normal in every household.

This fateful day, sacks full of Al-Fazl newspapers were brought to the factory to feed the ever-demanding boiler.

Days after the papers were thrown in the boiler, an allegation for desecrating the Quran emerged.

Arsalan was tasked to oversee the loading process, as well as to look after the mosque inside the factory premises, just in case a protest erupted. The labours and dispatch in-charge requested him for a dinner break at 6:00 PM, unlike their routine time of 7:30 PM. Unsuspecting, Arsalan allowed them.

The dispatch in-charge, a local resident, invited Arsalan out of the factory to join him for lunch. Arsalan told him to go ahead because he still had some work left.

“You people are afraid, right?” said the dispatch in-charge.

Puzzled, he asked, “No, why would I be afraid?”

“We know you are innocent, we wouldn’t do anything to you, so don’t worry,” replied the in-charge.

Although alarmed by his remarks, Arsalan didn’t lose his cool but he sensed danger, especially when the loaders didn’t return even after an hour.

“I knew something was about to happen,” he recalled later.

He went outside the factory to check if everything was normal when around 20-25 motor bikes approached the factory. Arsalan moved towards his quarter, right next to the factory, thinking it wasn’t appropriate to face the riders. “They went back after 2-3 minutes, though,” he said.

Arsalan went to his immediate senior, Maqbool, and asked him to take the families, who had gathered at the factory guest house by now, out of the place. Right when they were talking to each other, loudspeakers at the local mosque started inciting violence against the Ahmadiyya community.

The CEO of the factory authorised rescuing of families, which created panic.

A mother of two and pregnant for the third time, Salma was unaware of the events taking place, she told while meeting me at an undisclosed location.

“We were having dinner at the guest house when my husband came in a rush and asked me to go home and pick up few clothes for the children so we could move out of the place,” said a visibly distraught Salma.

Meanwhile, Arsalan started walking towards the quarters when a bike rider stopped him to ask if this was Pakistan Chipboard Factory where Quran was burnt. Arsalan, maintaining his calm, told him that this was the factory but he didn’t know about burning of Quran.

“I don’t know what happened to the faiths of people. We have come from far away to protest the desecration of Quran but people here aren’t coming out,” the man replied emotionally.

While they both were talking, Arsalan saw two families moving out of their homes and going in the other direction. To divert the bike rider’s attention, Arsalan kept him engaged in conversation so that the families were out of sight.

Salma, along with her husband and children, walked towards GT road when a few men who, according to Salma, had long beards blocked their way and told them to go back.

Finding no other way, they threw their bags away and ran in the jungle behind the factory.

Arsalan walked towards GT road where a restaurant owner and a friend called him to ask what happened in the factory. Arsalan, out of precaution, lied that he was on a sales tour so had no clue. The owner advised him not to go in direction of the factory and pointed towards the road where people were gathering, chanting slogans. The owner offered Arsalan to hide at his place but he refused.

Arsalan recalled, "I saw Maqbool running with his family towards GT road. I picked one of his children and we hid under the trees. Maqbool had called a van and while we were sitting, few men who I know personally came and started pushing me, and saying 'kithay chalaan aen, mirzaiya' (Where are you going, o follower of Mirza)?"

Holding Maqbool's baby, Arsalan, instead of stopping, kept moving – leaving Maqbool with the men. He received a call from Maqbool who informed him that the van was coming behind him with his children. "Please take them along with you and don't come back," Maqbool requested.

The protestors had allowed women and children to leave after a deal that Maqbool and other men would go with them instead.

Arsalan, sitting in the van, told the driver to do whatever he could to take them to a safe place.

"It was a terrible night," Arsalan recounted. "It was hard to believe that those were the people who played cricket with Maqbool since their childhood and they had become his enemies now. Being a Pakistani citizen, it was disappointing to say the least," he added.

It was pitch dark in the forest with voice other than their heavy breaths as Salma walked on.

"We hid in thorny bushes because we feared they would come for us," Salma said.

She added, "We were scared. We sat in the bushes for hours, without moving."

The mob came looking for them in the forest. A guard from a nearby town had seen them hiding in the bushes and told the mob.

"I could hear them, searching the bushes with their sticks, calling out names. We held our breath, anticipating for something to happen," she recalled.

They waited in the bush, without moving, until three in the morning when '*Khadaam*' came to take them to a safe place.

“It was the worst experience of my life. We were hiding in our own country, from our own people. I could see the flames rising from the factory and wondered what it was that made us so notorious in the eyes of our fellow Pakistanis,” Salma concluded as her voice broke.

Although living at a safe place, they are uncertain of their future.

“We cannot go back. There is nothing left there,” says Arsalan.

Gripped with paranoia and unsure about their future, these displaced families mourn their destroyed homes – awaiting justice to be served.

**Note:** *The names have been changed due to security issues.*

## Beyond the media glare: The Katchi Abadi plight

(Pakistan Today, 9 January 2016)

In his early 40s, Nasir Khan is a mild-spoken, fairly handsome man. Having won the seat of Councillor from UC-44 Islamabad, he has not lost the touch of humility and kindness. Precise and short in his talk, he gives a hint of an introvert.

Sitting at a *Dhaba* in the *Sabzi Mandi* located opposite what was once his home – I-11 *Katchi Abadi* – he recalls fondly the years he spent growing up here.

“I spent 35 years of my life here and this place was my home until CDA razed it to ground,” said Nasir.

Marked with barbed wires, what was once home to more than 2,300 families now presents the look of an abandoned and flattened place. Citing illegal encroachments to be the reason, Capital Development Authority (CDA), acting on the orders of Islamabad High Court, started an operation to evict the slums on 30<sup>th</sup> July.

With thousands rendered homeless, CDA announced alternative residential areas for the slum dwellers which were never granted. Almost five months since the slums were evicted, people, who are mostly daily wagers, are still struggling to settle.

“These *Katchi Abadi* people are living their lives in great misery because two or three families are forced to live in just one room. All of them earn a small amount of money with which they are unable to manage their daily expenses – let alone pay rents,” lamented Khan.

These residents belong to KPK districts like Mardan, Charsadda and Nowshera who moved to Islamabad years ago to explore better future prospects. Escaping the landlords in their villages, *Sabzi Mandi* became a major source of attraction for them.

Most of the residents work at the *Sabzi Mandi* to earn their livings. Unable to find refuge near their workplaces, they are forced to live as far as Tarnol, Chakra, Taxila, and 26 no bus stop. To reach the Mandi on time, they wake up as early as four in morning to travel all the way from their homes – adding to their daily expenses.

The average daily wage at *Sabzi Mandi* is in the range of Rs250-300.

“It was easy for me to manage the household expenses with this amount when I lived here but now I have to pay for the house rent as well,” said Sajid, a labourer.

Although moved to far away areas, these slum dwellers have their votes registered in I-11. In the recent Local Bodies Elections, they came all the way from their homes to cast their votes. CDA may have portrayed them as outcasts but they have their addresses registered at I-11.

“I cast my vote here in I-11 five times before I contested the elections myself. How am I foreign to this area?” asked Nasir Khan.

Many officials at CDA claimed that majority of the population in I-11 *Katchi Abadis* consisted of Afghans – but in reality, there were only 6-7 Afghan families, that too were registered with the local police station.

A myth was going rounds that LEAs didn't have access to the slums and there were a lot of criminal activities going on under the cover of a so-called residential area.

“Police conducted regular checks and monthly search operations in the area. We always came out clean – it can be found in their records,” claimed Rahim Dad Khan, a middle-aged man who submitted his nomination papers to contest the seat of General Councillor but was pressurised into withdrawing.

Qaim Khan, a fruit vendor who lives in a single room flat at Tarnol, feels guilty to wake his children up at four in the morning and drag them along with him to the *Mandi* to earn a few bucks.

“But I don't have any other option,” he said.

“They used to go to schools when we lived here in I-11 but now I have to manage for house rent – as well as electricity and gas bills.”

Fazal Shah contested for the seat of Chairman in the LG polls. He lives in Tarnol with his family – along with the families of his five brothers and pays Rs20,000 as house rent.

“It is very difficult to manage the expenses and my kids are deprived of school because I can't afford their fee,” comparatively well off Shah added.

Shah has changed four houses so far over various issues.

“We can't admit our children to schools because we keep shifting places. It gets impossible for us to pay for the admission fee, buy our children new books and copies only to shift to a place far away from the school,” complained Fazal Shah.

He was arrested by police on terrorism and disturbing law and order charges the day after I met him.

Being hard-working and law-abiding citizens, these slum-dwellers wonder what else they need to do in order to remove the labels of criminal and terrorist.

“We are Pakistani citizens, we belong here. Where else shall we go if we are not welcome here?” asked Shah.

Dejected, troubled and disappointed, but they are not without hope.

“Our case is in the Supreme Court and we have gained significant success. We are hopeful that justice will be done,” said Nasir Khan, who is all set to play his role to help the people as a Councillor.

Rahim Dad Khan is also optimistic about the pending decision: “I’m expecting these hard times to be over soon.”

“I want my children to go back to school and make a good future for themselves – which is only possible if justice is served,” Khan added.