



Source: Twitter

END HARASSMENT OF DR. AMMAR ALI JAN IN PAKISTAN

This statement can be attributed to a spokesperson for the Clooney Foundation for Justice. For further inquiries, please contact media@cfj.org.

PREVENTIVE DETENTION ORDER

Alleged “grave threat to the public safety” and assertion that Dr. Jan was “likely to cause breach of public peace and public order.”

CHARGES

Sedition, Rioting, Public Nuisance, and Violations of the Punjab Maintenance of Public Order Ordinance, 1960 and the Punjab Sound System Act of 2015

ALLEGED CONDUCT

Participation at two protests in 2019

MAXIMUM SENTENCE

Life imprisonment

March 12, 2021

The Clooney Foundation for Justice’s TrialWatch initiative, with support from Gibson, Dunn and Crutcher LLP, is monitoring two cases against an academic in Pakistan who faces life imprisonment as a result of participating in two peaceful protests in 2019. TrialWatch monitors criminal proceedings around the world, grades their fairness, and advocates for individuals who are unfairly detained.

The first case concerns a protest following the killing of poet Arman Loni. The academic, Dr. Ammar Ali Jan, is alleged to have said at the protest that “the uniform [meaning the army] is behind this terrorism.” The other case is similar: It concerns a student protest where Dr. Jan is alleged to have criticized the state. In both cases, the authorities allege that the protests blocked traffic.

While the cases remain pending, Dr. Jan has been subjected to on-going harassment. In June 2020, he was forced out of his job by his university after he says he was given an ultimatum – to stay silent or leave. Then, in November 2020, in advance of further planned protests, the authorities issued an administrative order for Dr. Jan’s preventive detention on the theory that there would be a risk to public order if he were not detained.

Recently, the authorities decided to withdraw this order in the face of withering—and appropriate—criticism from the courts. While CFJ welcomes the withdrawal of the order, CFJ remains concerned at the ongoing criminal proceedings against Dr. Jan. **CFJ calls on the authorities to review these proceedings, to ensure that any prosecutions are “well-founded upon evidence reasonably believed to be reliable and admissible” and to respect Dr. Jan’s rights to freedom of speech, peaceful assembly and a fair trial.**

BACKGROUND

Dr. Ammar Ali Jan is an academic, activist and member of the Haqooq-e-Khalq movement, which seeks government reform through civic education. The first set of charges against him stem from his participation in a February 2019 protest in response to the killing by the police of poet Arman Loni, who was a member of the Pashtun Tahafuz Movement—a movement that is critical of the military. Based on his remarks at this protest, Dr. Ammar Ali Jan was charged with various public order offenses.

The second case relates to his involvement in a November 2019 protest organized by student groups that urged, among other things, an end to surveillance by universities and schools on their campuses and restoration of student organizations. In this second case, he faces not only public order charges, but also a sedition charge, which carries a potential life sentence. In both cases, Dr. Jan has been granted bail.

While the authorities sought to justify Dr. Jan's preventive detention on public-order grounds, the order they issued did not specify the alleged risk, stating only that "[t]here is credible information" that Dr. Jan would "give rise to a situation prejudicial to public safety and maintenance of public order" due to his involvement in the Haqooq-e-Khalq movement and his prior actions.

Dr. Jan challenged this administrative order, arguing that the order was retaliatory, and that the order—and the two pending criminal cases against him—were an effort to "intimidate and harass" him. The Chief Justice of the Lahore High Court agreed that the order was *prima facie* inconsistent with Pakistani law and stayed the order's execution. During a hearing on January 20, 2021, the Chief Justice further noted that "dissenting voices do not endanger or threaten the existence of the state and should not be suppressed unlawfully and arbitrarily." On February 24, 2021, before a further hearing on the legality of the order, the authorities withdrew the preventive detention order.

In its [recent General Comment on the right to peaceful assembly](#), the UN Human Rights Committee has made clear that states "should not rely on a vague definition of 'public order' to justify overbroad restrictions on the right of peaceful assembly." The preventive detention order against Dr. Jan ran afoul of this proscription.

Proceedings in the two criminal cases remain ongoing, with a trial date expected soon in the first case. TrialWatch, with support from Gibson, Dunn and Crutcher LLP, will continue to monitor them for their compliance with international human rights standards.

ABOUT THE CLOONEY FOUNDATION FOR JUSTICE'S TRIALWATCH INITIATIVE



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The Clooney Foundation for Justice's [TrialWatch](#) initiative monitors and grades the fairness of trials of vulnerable people around the world, including journalists, women and girls, minorities, LGBTQ+ persons and human rights defenders. Using this data, TrialWatch advocates for victims and is developing a Global Justice Ranking measuring national courts' compliance with international human rights standards.