

## **NOVEMBER 2: INTERNATIONAL DAY AGAINST IMPUNITY**

### Hamid Mir Judicial Commission investigations and findings

#### **Pakistani authorities must combat impunity against media and journalists**

##### OPEN LETTER TO PAKISTANI AUTHORITIES

We, a group of Pakistani and international organizations defending freedom of expression and media freedoms, through this Open Letter to the authorities in Pakistan express concern over the ambiguity about the status of the work of a judicial commission constituted in 2014 to investigate attack on well-known journalist Hamid Mir in April that year.

A delay in reaching conclusions and making them public will not only strengthen impunity but also hurt the media freedoms in Pakistan. Mir was attacked moments after landing in Karachi on 19 April 2014 receiving six bullets. He survived the attack and took more than six months to recover from the bullet wounds. He resumed journalism with two bullets still inside his body today.

Over 100 journalists and media workers have died in Pakistan in line of duty since 2000, including more than 80 shot dead, according statistics by Freedom Network. Killers of only two have been identified, prosecuted and convicted.

On the request made through the letter of the Federal Ministry of Interior, the Supreme Court of Pakistan constituted a three-member Judicial Commission consisting of sitting Supreme Court judges “to ascertain (the) facts, identify culprits and affix responsibility for the incident of firing and injuring Hamid Mir.”

The then Chief Justice Tassaduq Hussain Jilani appointed Justice Anwar Zaheer Jamali, Justice Ejaz Afzal Khan and Justice Iqbal Hameedur Rehman as members of the Commission. The Commission was notified on April 21, 2014 under Section 3(1) and Section 5(1) of the Pakistan Commission of Inquiry Act 1956 and tasked to complete its work within 21 days of its notification.

Now more than 18 months later, the task seems to be incomplete. No information on the status of the work of the Commission is publicly available. We believe that the delay in affixing responsibility of attack on the journalist may promote already deep-rooted culture of impunity of crimes against journalists and media in Pakistan.

The attack on Mir was not just attack on an individual but an attack on freedom of expression – a fundamental right every Pakistani citizen enjoys under constitutional guarantees and the Supreme Court as its custodian.

Justice delayed is justice denied. The attack on Mir and its investigation constitutes a test case for the Pakistani justice system and the government’s will in protecting freedom of expression and media freedoms in the country.

We urge through this Open Letter that current honorable Chief Justice of Pakistan Anwar Zaheer Jamali, who was the member of the three-member Judicial Commission, to please notice of the situation and direct the concerned Commission to complete its given tasks as early as possible and submit the report to the authorities for further process and publicizing the findings thereof.

The response of the Pakistani authorities into taking legal cognizance of the attack on Mir and pursuing justice for him is necessitated under the international standards on journalists' safety as articulated in the following:

- UNGA Resolution (A/RES/68/163) on Safety of Journalists and the Issue of Impunity
- Human Rights Council Resolution (A/HRC/RES/27/5) on the Safety of Journalists
- UN General Assembly Resolution (A/RES/69/185) on Safety of Journalists and the Issue of Impunity
- UN Security Council Resolution S/RES/2222 (27 May 2015)
- UN Plan of Action - <http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/safety-of-journalists/basic-texts/>

We urge the relevant Pakistani authorities to complete the process of the Mir cases in accordance with Pakistani laws and international obligations at the earliest to demonstrate their commitment to combating impunity against media and journalists protecting freedoms of expression in the country.

This Open Letter is signed and issued by the following organizations:

Freedom Network (FN), [www.fnpk.org](http://www.fnpk.org) Islamabad  
Committee to Protect Journalists (CPJ), [www.cpg.org](http://www.cpg.org) New York  
Reporters Without Borders (RSF), [www.rsf.org](http://www.rsf.org) Paris  
Institute for Advocacy, Research and Development (IRADA) [www.irada.org.pk](http://www.irada.org.pk) Islamabad  
Media Matters for Democracy (MMfD), [www.mediamatters.pk](http://www.mediamatters.pk) Islamabad  
Pakistan Press Foundation (PPF), [www.pakistanpressfoundation.org](http://www.pakistanpressfoundation.org) Karachi  
Pakistan Coalition on Media Safety (PCOMS) Pakistan <http://pakistancoalition.org/>  
Media Support Alliance (MSA), Pakistan