

A defiant message to Musharraf:

CRISIS IN PAKISTAN

By Andrew Buncombe and Omar Waraich in Islamabad

Pakistan's ousted Chief Justice has issued a message of defiance from house arrest, accusing General Pervez Musharraf of acting illegally, and demanding the restoration of the rule of law.

In a statement passed to *The Independent*, Judge Iftikhar Chaudhry, whose home has been surrounded by dozens of armed police and his phone lines cut, warned General Musharraf that he would not be deterred from launching a fresh struggle to restore the constitution and the rule of law. He also dismissed the general's claims that the judiciary was interfering with the government's efforts to combat terrorism.

Mr Chaudhry, who is now at the centre of the crisis in Pakistan after refusing to ratify General Musharraf's order suspending the country's constitution, said: "I and all the honourable judges of the Supreme Court were exercising our jurisdiction in accordance with the law and constitution and are determined to do so in the future."

The judge, who has been a thorn in General Musharraf's side for months and has become a rallying figure for opponents of the military regime, was sacked on Saturday after leading seven Supreme Court justices in refusing to ratify the decree that ushered in emergency rule.

In his statement he said: "The whole of the judiciary is struggling for the supremacy of the constitution." Any actions taken by the government under the emergency provisions were illegal, he added, as was the detention of lawyers, human rights activists and members of civil society. "Their only sin is that they opposed the emergency."

General Musharraf appeared ready to bend to international pressure yesterday when he told foreign diplomats he still intended to stand down as head of the army, and his Attorney General



Plainclothes policemen drag a lawyer outside provincial High Courts in Lahore yesterday REUTERS

announced that parliamentary elections would be held within two months. With the US and UK warning that billions of pounds of aid to Pakistan could be at stake, the Attorney General, Malik Abdul Qayyum, said the elections would be held before 15 January next year.

But on the streets of Pakistan, General Musharraf's determination to crush his opponents showed no sign of letting up. In Karachi and Lahore, police used tear gas and baton charges against lawyers protesting against his actions. The government said 1,800 politicians, activists and campaigners have

been arrested since he imposed emergency rule, though some observers believe the true number could be double that. In Karachi journalists were also attacked. Domestic and international television channels remained off the air and police raided the presses of one of the country's leading Urdu-language newspapers as the government continued its dual-pronged efforts to silence both the media and the legal community.

General Musharraf spent two hours yesterday speaking to ambassadors from more than 80 countries, explaining why he had suspended the constitution,

sacked the seven Supreme Court judges and placed them under house arrest. He told the diplomats, whom he called to his official residence in Islamabad, that the decision to impose emergency rule had been the hardest of his life. He also insisted that he still planned to move towards democracy. "I am determined to execute this third stage of transition fully and I'm determined to remove my uniform once we correct these pillars in judiciary and the executive and the parliament," he said on state-run Pakistan Television.

Unlike during his televised address to the nation on Saturday

night, General Musharraf apparently referred very little to terrorism during his briefing of the diplomats and instead appeared angry and upset by what he termed the intervention of the Chief Justice.

In March, General Musharraf tried to suspend the Chief Justice for what were seen as transparently political reasons. The move backfired as lawyers mounted a spirited campaign to reinstate Mr Chaudhry, and tens of thousands of ordinary people rallied behind the ousted judge.

Confronting sliding public support, General Musharraf had little option later but to accept a

ruling by the Supreme Court that the Chief Justice should be reinstated. Now, with the Supreme Court reportedly poised to rule that General Musharraf's election victory on 6 October was invalid, it appears he decided this was the time to get rid of the judge once and for all.

The international community has been urging the general to return to the planned "transition" towards democracy that he said he wished to see happen.

One Western diplomat at yesterday's meeting told him: "We are deeply disturbed by the implementation of extra-constitutional means, and we expect a return to civilian rule. We expect elections to be held on schedule before 15 January ...

"Let me also express our concern at the extraordinarily heavy-handed measures that have been implemented. Yesterday, police raided the human rights commission in Lahore and took into custody over 70 people, most of whom are still under house arrest. It would be hard to imagine a group less threatening to the security of Pakistan and more in accord with the democratic values you have espoused."

Judge that angered a general

Until earlier this year Iftikhar Chaudhry, right, was a high-ranking judge with a low-level profile. That changed overnight. On 9 March, when Pervez Musharraf suspended the Chief Justice, he set in train a series of events that catapulted Mr Chaudhry into the international spotlight and transformed him into a figure of defiance and resistance against the excesses of the military government.

General Musharraf claimed he was suspending the Chief Justice because of alleged nepotism but most observers believe it was because the judge had made a series of rulings against the government.

After Mr Chaudhry, 58, was reinstated by a decision of his fellow justices on the Supreme Court in July, he continued to make rulings that angered General Musharraf. Perhaps of greatest aggravation, the



Supreme Court said it would consider a case challenging General Musharraf's eligibility to stand for election as president while still holding the position as head of the armed forces. The court ruled that the election should go ahead and General Musharraf duly won.

When word reached General Musharraf that the court was still poised to rule against him the president decided to act once and for all.

Andrew Buncombe

We will keep fighting for justice



Pakistani riot police clash with lawyers during a protest in Lahore yesterday against Pervez Musharraf's declaration of emergency rule. Several people were wounded and dozens more arrested AFP/GETTY IMAGES

Streets awash with rumour in a nation where leaders die in office

By Omar Waraich in Islamabad

In Pakistan, rumours and conspiracy theories have a rare potency. And yesterday they seemed irresistible. Less than 48 hours after General Pervez Musharraf imposed emergency rule, the capital was ablaze with tales that he himself had been ousted through a coup and placed under house arrest. General Ashfaq Kiyani, the 55-year-old former spy-master who was poised to assume the top role in the expected event of General Musharraf becoming a civilian president, was said to have taken over.

At a bank in Melody Market, in the centre of Islamabad, a teller announced the rumour to waiting customers. Journalists harried officials and diplomats for details. By lunchtime, the rumours had assumed such proportions that General Musharraf felt it necessary to issue a denial. "It is a joke of the highest order," he told Reuters after having spent the morning explaining his actions to 80 ambassadors at the presidential palace.

If such rumours appear extravagant, bear in mind Pakistan's history. The country's military rulers have all fallen against their will, and no civilian government has completed a full term in office. Since Pakistan's birth in 1947, perishing violently or being forced abruptly from office has been the rule rather than the exception.

One of its rulers was hanged; another was shot dead while addressing a rally; another died in a mysterious plane crash while the rest were sacked, exiled or removed in coups d'etat.

Thirty years ago, General Muhammad Zia-ul-Haq, the country's longest serving dictator, toppled Zulfikar Ali Bhutto, the country's first democratically elected leader. Mr Bhutto had appointed General Zia army chief over the heads of five other generals, firm in the belief that he would not be inviting trouble.

General Musharraf vaulted to power in October 1999 after an abortive attempt by

the former prime minister Nawaz Sharif to replace him. Mr Sharif, who was swiftly deported after an attempt to return from exile in September, had also appointed General Musharraf over other senior generals.

Civilians have also succeeded in their ambition to rise from loyalist to leader. Mr Bhutto once served as a minister under General Ayub Khan, Pakistan's first military dictator. After founding the Pakistan People's Party, he put himself at the head of a civilian revolt that precipitated General Ayub's downfall.

And in late 1996, just weeks after her brother was

murdered, Benazir Bhutto was forced out of office through a constitutional coup by Farooq Leghari, her own hand-picked president.

In addition to the ban on independent television channels and the news vacuum this created, another reason that the rumour about General Musharraf had such currency was that General Kiyani - the man whom the rumour-mongers said had taken over - is so well connected.

Before the legality of his presidential election for a further five years was thrown into question by the Supreme Court, General Musharraf had promised to

shed his uniform by 15 November. It was understood that General Kiyani, who had been elevated to the position of vice-chief in a series of promotions for Musharraf loyalists in October, would then take over. General Kiyani had headed the powerful ISI intelligence agency for the past three years. He is favourably regarded by Washington and is also on nodding terms with Ms Bhutto. General Kiyani served as her deputy military secretary and was recently involved in power-sharing negotiations between Ms Bhutto and General Musharraf.

General Musharraf's resort to emergency rule has so far proved widely unpopular, with even members of the ruling party expressing disapproval. What effect it has had on the army as a whole is unclear. It is highly unlikely he would have made the move without the unanimous approval of the corps commanders. But with reports of army morale in decline as clashes with Islamist militants in the North-West Frontier Province and the lawless tribal belt along the Afghan border grow ever bloodier, there had been signs that junior officers would be less keen.

All of these were signs seized on by those consumed by the rumours of a coup against General Musharraf. Rumours of palace intrigue may be inescapable, for Pakistan is the place where so many rumours have proved to be true.

Poisoned chalice



■ **LIAQUAT ALI KHAN** Regarded as the right-hand man of Pakistan's founder, Muhammad Ali Jinnah, he became Prime Minister after independence in 1947, and was responsible for the Objective Resolution, the framework for a future constitution. Shot dead in October 1951 while addressing a public meeting in Rawalpindi. The crowd lynched his killer.

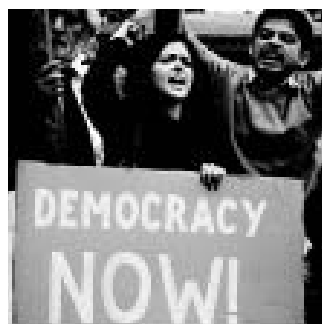


■ **ZULFIKAR ALI BHUTTO** Won acclaim for making Pakistan the first Muslim state with a nuclear capability, but also faced corruption allegations. Appointed General Zia-ul-Haq as army commander in an attempt to forestall a coup. However, General Zia arrested Bhutto in 1977, put him on trial for "conspiracy to murder" his political opponents and hanged him in April 1979.



■ **MUHAMMAD ZIA-UL-HAQ** Made himself President in September 1978. Became an ally of the West during the Russians' war in Afghanistan, when Pakistan's intelligence service first made contact with Osama bin Laden. "Islamised" Pakistani institutions, including the military. Killed in an air crash in 1988 thought to have been organised by his rivals.

Britain demands 'free and fair' elections but rules out aid cuts



Demonstrators gather at the high commission in London

By Colin Brown Deputy Political Editor

Britain led international calls for Pakistan's President Pervez Musharraf to resign as head of the army and guarantee that "free and fair" democratic elections will take place next year, but stopped short of ordering a cut in aid over his declaration of emergency rule.

The Foreign Secretary David Miliband said General Musharraf should end the confusion after the Prime Minister of Pakistan, Shaukat Aziz said the elections would go ahead as scheduled.

Declaring it was "a defining moment" for the country and its relationship with the world, Mr Miliband said: "President Musharraf has the opportunity to be absolutely clear about the election date, about his own position as civilian leader, and about media freedoms and human rights.

"We have had no assurance. We have conveyed our view very strongly to the Pakistan government," Mr Miliband added. "Now is the time for President Musharraf to be absolutely clear that elections will go ahead on 15 January on a free and fair basis and he will resign as head of the army."

Downing Street said the possibility of sanctions including cutting aid to Pakistan was "under review" but the Foreign Secretary ruled out any immediate move to cut the aid budget.

"Now is not the time for threats to aid for the Pakistani people. It is important we made the commitments we have to the doubling of aid to Pakistan," he said. Officials said much of the aid was directed at education, and tackling the extreme radicalism of Muslim schools in Pakistan, linked with terrorism.

Mr Miliband said there was now a "unanimous view" in the international community that democracy and human rights needed to be restored. Mr Miliband had spoken to his counterparts in Pakistan, France and Germany, and to the US Secretary of State Condoleezza Rice, as well as to the Pakistani opposition leader Benazir Bhutto.

In London, demonstrators protested outside the Pakistan high commission, calling for the constitution to be restored. About 80 people gathered, waving banners and chanting slogans including "Go Musharraf Go".

One of the demonstrators called on the Pakistani high commissioner, Maleeha Lodhi, to resign and join the protest.

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