

# ***U.S. Delegation Issues Preliminary Report***

**FOR IMMEDIATE RELEASE – THURSDAY, 10 JANUARY, 2008**

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Press Conference: Friday, 11/1/08, 3PM, Holiday Inn, across from the Islamabad Press Club.

*Islamabad* -- A delegation from the United States National Lawyers Guild will release its preliminary findings regarding the impacts of the Proclamation of Emergency at a press conference in Islamabad at 3pm on Friday. The delegation has prepared a preliminary report concluding that anything short of restoration of the judges deposed on November 3 will have long-lasting negative impacts on the judiciary and the rule of law in Pakistan. The report is critical of U.S. foreign policy, concluding that the United States' failure to demand the reinstatement of the deposed judges will negatively impact both the development of democracy in Pakistan and the U.S.'s long-term interests in safety and security. The delegation also noted severe structural and procedural problems in the pre-election climate, including the lack of an independent election commission and an independent judiciary, that are likely to make the holding of free and fair elections impossible.

The delegation's findings are based on over 50 interviews with political party leaders, lawyers, members of civil society, government officials, judges, students and journalists in Lahore, Karachi, Peshawar, Quetta and Islamabad. The report reflects the delegation's findings about the Pakistani judiciary, the freedom and fairness of upcoming elections, and the impact of U.S. foreign policy on security and democracy in Pakistan.

David Gespass, the Vice President of the National Lawyers Guild and the leader of the delegation, noted that "As lawyers and law students, we have an ethical and professional obligation to support the struggle for a just and democratic society based on the rule of law wherever that struggle occurs."

One respondent, Justice Azmat Saeed of the Lahore High Court, who refused to take the PCO oath, stated that "Musharraf said to the U.S.A., 'I can't fight the war on terrorism with a free press and an independent judiciary.' But you cannot fight terrorism with state terrorism."

"Pakistan has become a state where there are suicide bombings going on, where no one is safe. We have now lost more Pakistani soldiers than Americans have lost in Iraq," noted Imran Khan, leader of the Tehreek-e-Insaaf party. "If you assess the policy now, it has been a disaster for the U.S., and it's now become an even bigger disaster for Pakistan. And there's no end in sight. Radicalism and extremism are growing by the day. This is now a monster that could actually destroy our country," concluded Khan.

Syed Mudasser Ameer, a barrister and a member of the executive committee of the Peshawar High Court Bar Association Action Committee, expressed a common view that "When we used to talk about America, it was just another word for freedom." But the United States' continued support for Musharraf has changed his views. "Now, we say it would be better if we were still ruled by Britain, because there would still be rule of law," stated Ameer.

Justice (ret'd) Jawaad Khawaja of the Lahore University of Management Sciences invited the delegation to visit Pakistan to assess the status of the rule of law and the prospect for fair elections in light of recent attacks on judicial independence. The Law and Policy Department of LUMS founded a new initiative called the Rule of Law Project to serve as an academic clearinghouse for documentation and research regarding constitutionalism and the rule of law in Pakistan. The preliminary report is authored jointly by the delegation and the LUMS Rule of Law Project.

The delegation will return to the United States on Saturday where it will complete its final report for presentation to the United States Congress and the general public.

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