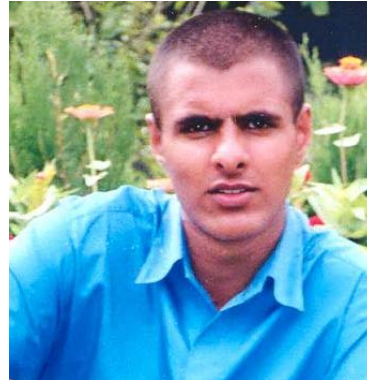


NAHEEM AND REHAN: TORTURED BRITISH NATIONALS FACING THE DEATH PENALTY



Naheem Hussain



Rehan Zaman

Naheem Hussain and Rehan Zaman are British nationals who are currently facing execution in Pakistan. They were brutally tortured by the police in an attempt to secure confessions. Despite the fact that they were arrested over 4½ years ago, they still have not faced trial, and currently live their lives in Mirpur prison in the executioner's shadow.

This torture is shocking, adding further pressure on the UK government to take a proper moral lead in trying to end such medieval practices. Naheem's father, who was both a victim of the torture and a witness, is back in Britain and able to speak out. The two lads are still facing execution.

Case Background

The case against them is extraordinarily weak and, since both appear to be innocent, they obviously cannot say precisely what did happen. However, the case seems to stem from a land dispute concerning Naheem Hussain's family land in the village of Ratta, in Azad-Kashmir. Naheem's father, Fazal, was born and raised in Pakistan, where he lived on his family land. The land was quite large and valuable, and when Fazal left for the UK in 1967 he left it in the care of his "step-sister". She looked after the land for 30 – 40 years, but eventually grew too old to tend the land. As a result of this, Fazal agreed to have the land tended by the family of his daughters' husbands – as both his daughters had married two brothers from a family in the same village. As is often the case in these rural areas, no formal contracts were signed, and instead everything was agreed verbally.

Fazal lived in the UK for the entirety of his working life. He retired and took a trip to where he was born in Pakistan during his retirement, taking his son with him. However, he soon became aware that his daughters' father-in-law (a man he had come to call his brother) had duplicitously registered an interest on the land. Confused by this, Fazal gathered all the documentation he had relating to the land and called a family meeting to discuss the matter.

However, shortly before the meeting was to take place, two other members of his extended family -- his step-sister's husband and her son -- were both shot.

The police arrested Fazal and Naheem, as well as Naheem's friend Rehan Zaman and his father Muhammad Zaman. The police said the land dispute provided the men with a motive for the murders. Of course, given the poverty in Pakistan, this land is far more important to those who apparently tried to steal it than to the relatively affluent Fazal. Fazal and Naheem believe that they have been set up in an attempt to take the land. There is already strong evidence to show that Naheem and Rehan are not guilty, although this investigation is on-going.

Torture in Dadyal Police station

At approximately 7:30pm on 22nd June 2004, the police arrived at Fazal Hussain's house and arrested him and Naheem. An hour later they arrested Rehan Zaman and his father Muhammed.

On their arrival at the police station, Fazal and Naheem were thrown into separate rooms. Naheem described his ordeal to *Reprieve* Advocate Sultana Noon. As soon as he arrived at the police station the police handcuffed him and dragged him into a room. They then started to beat him up, punching and kicking him. Fazal was able to hear what was happening to Naheem through the wall, and from Naheem's cries he could hear that the police were brutally beating him and jumping on his stomach with their boots on. Rehan has told *Reprieve* that when he arrived at the police station, he could hear the police beating Naheem, and he recognized the screams as coming from Naheem.

The beating continued for several days. Often the police would beat Naheem and Fazal in front of each other. Naheem found it particularly painful to watch his father being treated so savagely by the police. Similarly Fazal has told us that watching Naheem being tortured was worse than having it done to himself. All three men were repeatedly punched, kicked and subjected to *falaka* –whipping the foot with a rod or cane, a particular favourite of the Saudi intelligence agencies because of the number of nerve endings there, and the fact that it leaves few obvious traces. (The term *falaka*, originally Persian, refers to the wooden plank to which the feet were attached prior to the beating.) It is also referred to as *bastinado*. See generally [As You Like It](#), Act V, sc. I (Touchstone threatens William with the line: "I will deal in poison with thee, or in bastinado, or in steel..."). All three men describe how they could not walk after being subjected to this, and other torture.

On the second day, Rehan was hung upside down from a hook and then kicked and punched repeatedly. This is referred to as "inverse *strappado*", a notorious form of torture used by the Spanish Inquisition. Over the next two weeks, Rehan was subjected to a hour upon hour of the most savage torture, including having cigarettes put out on his wrists and having a fingernail pulled out. They also threatened to take him and Naheem out of the station and simply shoot them, explaining to Rehan that they would get away with it because they would claim that they tried to escape (this practice is considered

notorious in Bangladesh, but was also used in Mississippi in the case of Edward Earl Johnson, executed in the BBC documentary *Fourteen Days in May*). He also describes a torture involving tying ropes around his upper thighs pulling them to force his legs open. The pain from this caused Rehan to faint, and he still has the scars from the ropes that were used. Whenever he passed out, the police would throw water on him so that he would regain consciousness. Then they would continue to torture him.

Naheem suffered an equally brutal form of torture which both Naheem and his father have described in detail to *Reprieve*. Naheem was tied to a chair with his legs together and had a piece of wood tied across both thighs. This was then tied around each leg, and attached to another bit of wood, which could be turned like a garrote to increase the pressure on Naheem's legs. They continued to tighten the rope, driving the wood deeper into Naheem's leg, effectively paralysing him. After they had gone through this process for about 45 minutes, Naheem passed out, and had to be taken to hospital. When Naheem returned from hospital the next day, he was thrown to the floor in Fazal's cell. His legs were still bleeding. At another point Naheem was hung from the ceiling in the "reverse strappado" position (where his hands were tied behind his back and he is then hung from his wrists – resulting in gradual dislocation of the shoulder blades) which hurt so much that Naheem felt like his shoulders would pop out.

The torture obviously took its toll. On 28 June, Naheem and Rehan were taken to a graveyard and told to say that they had thrown the murder weapons away there. They refused, until they were told that more members of their family would be brought into the station and tortured. Naheem was told they would bring his wife and mother to the station and torture them, whilst the police told Rehan that they would torture his 80 year old grandmother. By now they had no doubt that the police were capable of anything. The police had apparently planted guns in the graveyard, and the lads were required to point them out as the murder weapons. (They are incredibly lucky on this point: the police were so arrogant and careless in framing their case, that subsequent ballistics testing has proved that these guns could not have been used in the crimes.)

By 6 July 2004, after two weeks of torture, Fazal had cracked. By now, the police were threatening to nail Naheem to a tree unless Fazal paid a large sum of money and confessed. Desperate to see his son's suffering end, Fazal wrote the Police Chief a cheque for over £10,000 and signed a "confession" stating that he had instigated the murders. (We have documentary proof of the cheque paid to the Police Chief.) Naheem was also forced to sign a document, although he was unable to read it, as it was written in Urdu.

Having the "evidence" they wanted, the police finally transferred all three men to a prison in Mirpur.

Mirpur Prison

The 'liberties' that the Dadyal police took with them did not stop once they left the station. The police forced Fazal to pay for their transfer to Mirpur. There were approximately 6 policemen accompanying Fazal, Naheem and Rehan during their transfer. En route, the police insisted that they stop off at a hotel and ordered a huge meal – and again forced Fazal to pay. Such was the corruption that the driver later confronted Fazal's family, demanding 2,500 rupees for having driven the van.

Their misfortune has continued ever since. In Mirpur prison, Fazal became ill and was diagnosed with diabetes and jaundice. Eventually he had to be taken to a hospital to receive specialist treatment, and was eventually granted bail due to his ill health. During this time his weight dropped by half, from about 15 stone to roughly 7 stone, and he became too weak to walk. Eventually one of his sons came to Pakistan and brought him back to the UK to receive treatment. Fazal was diagnosed with Hodgkins lymphoma, and was given chemotherapy and radiotherapy back in Birmingham. He has since defied his doctors to return to attend court in Pakistan. However, the case has been so drawn out, and the hearings so frequently adjourned, that Fazal became unable to afford the regular returns to Pakistan for court hearings, and so has stayed in the UK to recover his health.

Life in Mirpur prison is very hard for Naheem and Rehan, who live their daily lives with the damoclean sword of execution hanging over their heads. Naheem shares a 30' x 15' cell with about 40 other prisoners.

Both men miss their families greatly and want to return home to the UK to see their mothers. They enjoy any links to home and they have asked for reading materials that remind them of the UK: Naheem is currently reading Harry Potter and Rehan enjoys reading National Geographic.

Quote from Reprieve

"Just when we thought that all the talk of torture was over, here is the shocking tale of two young British men facing some kind of Pakistani Inquisition. It beggars belief that they have suffered this way for more than four years.

"There is strong evidence pointing to their innocence, and it is difficult to see how they could get a fair trial under these circumstances. The British government must take immediate action to put an end to this tragic miscarriage of justice. "

Clive Stafford Smith – Director, Reprieve

NOTE: How the trial 'works'

It is worth noting that whilst their trial started several years ago, it is far from complete. Unlike in Britain, where a court will start and then run until it is completed, in Pakistan a court will set a hearing date, hear all the evidence it

can in that hearing, and then simply stop – setting another hearing date for some time in the future, often months down the line.

Currently Pakistani courts are suffering a huge backlog; this, combined with regular lawyers' strikes (in protest of the Chief Justice being deposed in 2007 by President Musharraf), has brought the case to a virtual standstill. This means that Naheem and Rehan are lucky to go to court once every three months and even then the proceedings are cursory at best. Their last hearing (held this month) lasted less than 2 minutes before it was adjourned.

It is also worth noting that there are no jury trials in Pakistan.