



Human Rights Watch Statement

Item 6: UPR outcome report of Pakistan

12 June 2008

The UPR of Pakistan came at an opportune moment of transition in Pakistan and at a time when the newly elected government has engaged on a number of human rights reforms, including the ratification of the International Covenant on Economic, Social and Cultural Rights, and the signing of the International Covenant on Civil and Political Rights and the Convention Against Torture, which we hope the government will promptly ratify [redacted] in line with [redacted] recommendations made to it during the UPR review to that effect.

Mr. President, we welcome the repeal of laws that limit the freedom of the press and the restoration of rights exercised by workers organizations. Human Rights Watch urges [redacted] Pakistan [redacted] (to) implement the recommendation that it restore all freedoms suspended during the imposition of the state of emergency late last year given that many repressive laws introduced by President Musharraf during the emergency remain in force. Pakistan's parliament has neither declared these measures illegal nor legalized them through the mechanism of a constitutional amendment. This includes blanket indemnity granted by Musharraf to himself for suspending the constitution. In respect of this recommendation, although Pakistan held elections on February 18 and an elected government assumed office, the country has yet to return to constitutional rule.

(We regret that Pakistan has ~~decided~~ not / ^{clearly announced a} [redacted] decision) to implement the recommendation that it re-instate the dismissed members of the judiciary and take measures to re-establish an independent judiciary. Furthermore we stress the need to end any attempts by Pakistani authorities to coerce or intimidate judges and lawyers in the country, preventing them from exercising their legal functions and their right to freedom of expression and assembly.

Mr. President, in the future we recommend that Pakistan fully involve civil society in consultations surrounding the UPR process. For many years and particularly in the past months Pakistani civil society has stood up to protect the rule of law and fundamental rights and has played a fundamental holding up human rights standards in Pakistan. The Human Rights Commission of Pakistan, a leading NGO, in May publicly expressed their discontent with the position taken by the government at the UPR that recommendations relating to the Hadood Ordinances, marital rape and the death penalty fall outside the scope of universally recognized human rights, nor conform to existing commitments of Pakistan. Human Rights Watch supports their recognition that "safeguards and restrictions to the imposition of the

death penalty is a universal and recognized human rights principle” and that “the government is misleading itself by denying that the vulnerability of women accused of Zina is not a violation of their right. Similarly, marital rape is a crime and not a right or privilege of the offender”. We strongly regret Pakistan’s position which undermines the protection of human rights and in particular the protection of women’s rights.

Lastly, Mr. President, we regret that the UPR of Pakistan did not lead to the formulation of specific recommendations aimed at addressing the situation of disappeared persons in Pakistan. Human Rights Watch has documented scores of illegal detentions, instances of torture, and “disappearances” in Pakistan’s major cities. Though Pakistani authorities have presented figures suggesting that more than 1,000 terrorism suspects have been arrested since 2001, only a small fraction of such cases have passed through the legal system. The secrecy around counterterrorism operations makes it impossible to ascertain exactly how many have “disappeared”. In this context Human Rights Watch welcomes Mexico’s recommendation for to Pakistan adhere to international human rights, humanitarian and refugee laws in its fight against terrorism.

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