



PAKISTAN

THE SITUATION OF HUMAN RIGHTS

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THE INTERNATIONAL FEDERATION FOR HUMAN RIGHTS - FIDH

with

THE HUMAN RIGHTS COMMISSION OF PAKISTAN - HRCP



Juliette Rousselot



Juliette Rousselot is the Program Officer covering the West and South Asia regions for the International Federation for Human Rights (FIDH). Her background includes work on a wide range of human rights issues in Asia, working with local, regional and international civil society organisations. She has also worked as a freelance journalist, based in Nepal. She holds Bachelors of Arts in International Relations and Communication from the University of Southern California, and a Master of Arts in International Affairs from the George Washington University. She is fluent in French,

English and Spanish.

The International Federation for Human Rights. FIDH is an international human rights NGO federating 184 organisations from 112 countries. Since 1922, FIDH has been defending all civil, political, economic, social and cultural rights as set out in the Universal Declaration of Human Rights. For FIDH, transforming societies relies on the work of local actors. Therefore, FIDH's activities aim to reinforce their capacities and their influence. It acts at national, regional and international levels in support of its member and partner organisations to address human rights abuses and consolidate democratic processes. Its work is directed at States and those in power, such as armed opposition groups and multinational corporations. Its primary beneficiaries are national human rights organisations who are members of FIDH, and through them, the victims of human rights violations.

FIDH also cooperates with other local partner organisations and actors of change.

Kamran Arif



Kamran Arif is an Advocate, Vice-Chair of the Human Rights Commission of Pakistan (HRCP), and Senior Legal Advisor for the Foundation Open Society Institute in Pakistan. He has practiced law in Pakistan both at the trial and appellate levels for 19 years, and acted as a Special Prosecutor for the National Corruption Bureau. In addition, his work with civil society organisations both in Pakistan and internationally has allowed him to build significant experience in investigating human rights complaints, reporting on violations, providing capacity-building trainings, and more.

He has worked extensively on the rights of marginalised groups, including children, women, religious and ethnic minorities, and criminal justice reform. Kamran holds an LLM in International Law of Human Rights and International Humanitarian Law from the University of Essex, and an LLM and LLB from the University of Peshawar.

The Human Rights Commission of Pakistan. HRCP was established in 1987 as an independent non-government organisation. Since then, it has developed to become an influential country wide human rights body. The HRCP has established a leading role in providing a highly informed and objective voice on a national level in the struggle for the provision of human rights for all and democratic development in Pakistan. HRCP's role in highlighting human rights abuses has been recognised not only on a national level but also internationally.

Besides monitoring human rights violations and seeking redress through public campaigns, lobbying and intervention in courts, HRCP organises seminars, workshops and fact finding missions.

Key human rights issues of concern

Enforced disappearances have skyrocketed amid near absolute impunity by, or with the acquiescence of, state agencies. Investigations into reports of enforced disappearances, torture and killings, are either non-existent or ineffective. Families of victims have not received compensation and have been threatened and intimidated when they have attempted to seek justice. Existing legislation allows the army to detain suspects indefinitely, without a warrant, judicial supervision or due process in internment centres.

The death penalty is still applied in contravention to Pakistan's international obligations, with legislation proscribing the death penalty for 33 crimes, most of which do not meet the "most serious crimes" standard, such as blasphemy. Also, the death penalty is still applied to individuals who were minors at the time of the crime and to the mentally disabled.

Fair trial rights denied by military and anti-terrorism courts. Civilians are tried before military courts in secret without legal counsel or the right to appeal before civilian courts. Suspects tried by military courts are often detained in undisclosed locations which increases the risk of torture.

Freedom of expression and association under siege, in particular with regard to criticism of the government, its policies and Islam. Journalists, bloggers, human rights defenders and political dissidents are subjected to ongoing harassment and intimidation, arbitrary detention, torture, killing and enforced disappearance as a result of their criticism of the government.

FIDH calls on the EU to engage with Pakistan on

Enforced disappearances: Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and criminalise enforced disappearances; amend the 2011 Actions (in Aid of Civil Powers) Regulations to limit detention without charge, judicial supervision or due process; provide the Commission of Inquiry on Enforced Disappearances (CIED) with adequate resources to carry out its mandate; conduct investigations, hold perpetrators accountable and provide reparations.

Death penalty: Reinstate the moratorium and ratify the Second Optional Protocol to the ICCPR; abolish the death sentence for crimes which do not meet the "most serious crimes" standard; abolish mandatory death penalty and ensure that under no circumstances is the death penalty to be applied to individuals who were minors at the time of the crime and to the mentally disabled.

Fair trial rights: Abolish the jurisdiction of military courts for trials of civilians; ensure the right for defendants to access legal counsel and appeal their cases before civilian courts, and that all charges, evidence and resulting judgments are made public; ensure trials are not held in secret and suspects are not held in secret detention and are granted access to families and lawyers; ensure coerced confessions are not admitted as evidence; ensure military and anti-terrorism courts do not try persons who were minors at the time of an alleged crime; remove the ability of authorities to detain those listed on the "terrorism list" for up to one year without charges; remove military and anti-terrorism courts' authority to impose the death penalty.

Freedom of expression and association under siege: Respect the right to freedom of expression, in particular regarding online material; protect journalists, bloggers, human rights defenders and political dissidents; end the arbitrary closure and expulsion of NGOs and all acts of intimidation and harassment against their staff.

The EU should make full use of all the tools and mechanisms at its disposal, including the Generalised System of Preferences scheme (GSP+) to ensure the effective implementation by Pakistan of the core human rights conventions it has ratified.

184 ORGANISATIONS IN 112 COUNTRIES

