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Pakistan: ensure effective implementation of Human Rights Committee recommendations

27 Jul 2017 | News



Pakistani authorities must implement the United Nations Human Rights Committee recommendations to ensure compliance with Pakistan's human rights obligations under the International Covenant on Civil and Political Rights (ICCPR), the ICJ said today.

The Human Rights Committee, the treaty-monitoring body that oversees countries' implementation of and compliance with the ICCPR, reviewed for the first time Pakistan's human rights record under the Covenant on 11 and 12 July.

It issued its "Concluding Observations", along with its recommendations, today, on 27 July.

"While it is encouraging to see Pakistan's increased engagement with United Nations human rights mechanisms in recent years, it is deeply worrying that since ratifying the ICCPR, Pakistan's human rights situation has worsened in a number of aspects, including with the restoration of the death penalty and the introduction of military trials for civilians," said Livio Zilli, ICJ's Senior Legal Adviser and UN Representative.

"It is of the utmost importance for Pakistan to reverse this trend, and make sincere efforts to implement the recommendations made by the Committee," added Zilli.

- Ensure the National Commission for Human Rights is able to carry out its mandate independently and effectively;
- Reinstate the moratorium on the death penalty;
- Abolish mandatory death penalty and ensure the death penalty is provided only for the "most serious crimes" involving intentional killing;
- Criminalize enforced disappearance and put an end to the practice of enforced disappearance and secret detention;
- Ensure that all allegations of enforced disappearance and extrajudicial killings are promptly and thoroughly investigated; all perpetrators are prosecuted and punished with penalties commensurate with the gravity of crimes;
- Review legislation relating to the military courts with a view to abrogating their jurisdiction over civilians as well as their authority to impose the death penalty;
- Reform the proceedings of military courts and bring them into full conformity with Articles 14 and 15 of the Covenant to ensure a fair trial;
- Ensure that all elements of the crime of torture are prohibited in accordance with article 7 of the Covenant;
- Repeal all blasphemy laws or amend them in compliance with the strict requirements of the Covenant; and
- Review policies and legislation on registration of international NGOs, including the vague grounds on which registrations can be cancelled.

This is the first time Pakistan's human rights record is being reviewed by the Human Rights Committee since Pakistan ratified the Covenant in 2010.

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Background:

Pakistan ratified the International Covenant on Civil and Political Rights (ICCPR) in June 2010.

Following ratification/accession, every state party to the ICCPR is required to submit an initial "state report" containing information on the implementation of each provision of the treaty.

Pakistan submitted its initial state report to the Human Rights Committee in October 2015.

In light of the information provided in the State report, as well as information received from civil society, the Human Rights Committee then prepared a List of Issues containing particular issues of concern to the Committee, and asking whatever questions it sees fit in light of those concerns.

The answers provided by the State party to these questions, as well as other information submitted by civil society and others formed the basis of the "review" of the State's compliance with the treaty, which was carried out on 11 and 12 July by the Human Rights Committee.

responded to the Committee's questions.

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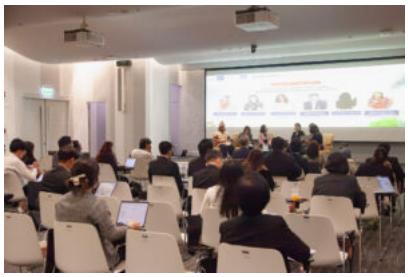
The Committee's Concluding Observations issued today are highly authoritative, and highlight the Committee's concerns and make recommendations to the State on improving the implementation of the ICCPR.

The ICJ made submissions to the Human Rights Committee in relation to the formulation of List of Issues in 2016 and the Review in 2017.

In its submissions, the ICJ raised concern about the inadequate legal framework on torture and other ill-treatment; the continuing practice and impunity for enforced disappearances; the incompatibility of military trials of civilians with the right to a fair trial; the incompatibility of Pakistan's blasphemy laws with the rights to freedom of religion and belief, expression and fair trial; and the vaguely defined INGO policy.

The Human Rights Committee picked up ICJ's concerns as its principle matters of concern and recommendations in its Concluding Observations.

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