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An Oral Statement to the 8th Session of the UN Human Rights Council from the Asian Legal Resource Centre (ALRC), a non-governmental organization in general consultative status

PAKISTAN: Country failing to cooperate with the UPR process

Thank you, Mr. President,

We welcome the acknowledgement by the government in the Working Group report of the importance of the March 2007 lawyers’ movement and civil society’s role in the struggle for an independent judiciary.¹ The committee of experts in Pakistan that is looking into the question of these judges’ reinstatement is an admission of the government’s failure to live up to its election promise² of judicial restoration within 30 days.

There are repeated calls for the reinstatement of the judges in the report.³ The lack of an independent judiciary is equivalent to the suspension of fundamental rights in Pakistan, as there is no effective legal redress available at present. For example, the ALRC has recently identified 52 illegal detention centres in the country, in which persons have been held incommunicado, tortured, disappeared or subjected to summary execution. Thousands of victims currently have nowhere to turn to seek justice.

We welcome the repeated recommendations to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.⁴ The ALRC has frequently alerted the Human Rights Council to the ongoing serious and widespread problem of disappearances in Pakistan, with thousands known to have disappeared since 2001.

We are also very concerned by the government’s denial of the problem of caste-based discrimination.⁵ We welcome the report underlining the need for the government to take concrete and effective measures to protect human rights defenders.⁶

The Asian Legal Resource Centre (ALRC) is disappointed by Pakistan’s attempts to undermine its review and the UPR process as a whole, by trying to discard valid recommendations made to it, notably concerning, *inter alia*, the *Haddood* Ordinances,⁷ blasphemy laws and the death penalty, all of which are justifiable concerns that must be included in any serious human rights review of the country. This behaviour by the

¹ WG report Art. 7

² The election promise of reinstating all judges was given 2 years ago.

³ WG report Art. 23.e (Canada)

⁴ WG report Art.

⁵ WG report Art. 99

⁶ WG report Art. 106.22 – recommendations to Pakistan

⁷ We recall that under *Haddood* Ordinance number VII of 1979, a woman alleging rape is required to provide four male witnesses to avoid facing criminal action against herself for non-marital sex.

government clearly amounts to non-cooperation and contravenes the spirit in which these reviews should be conducted.

We sincerely hope that Pakistan will refrain from trying to sabotage the UPR process and will commit to addressing all issues raised here and ensure its full cooperation with the UPR system.