



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

"Dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights"

United Nations Human Rights Council  
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## ICJ Intervention on the adoption of the outcome document of the Universal Periodic Review of Pakistan

12th June 2008

Check against delivery

Mr. President,  
Distinguished Ambassador,

The International Commission of Jurists (ICJ) welcomes the Pakistan delegation's interaction with the ~~UN Human Rights Council's Universal Periodic Review mechanism~~ (UPR) and calls for prompt implementation of all the UPR recommendations by the Pakistan's Government, *and* ~~Let me draw attention in particular~~ to the recommendations no. 4, 5, 14, 15 and 16.

The Government of Pakistan must yet to address the consequences of the rule of law crisis culminating in the ~~2007~~ state of emergency, restore the licenses of all lawyers, revoke the limitations on the media and stop the harassment of human rights defenders and lawyers.

While the new Parliament has refused to recognize the constitutional amendments by Musharraf's government, it has not decided on a method to clearly repeal those amendments, along with the emergency decrees made under them. The UPR recommended re-establishing an independent judiciary. But the governing coalition has as yet been unable to conclude a formula to reinstate all of the justices and judges deposed during the state of emergency, including Chief Justice Iftikhar Muhammad Chaudhry. The Long-march of lawyers to arrive to Islamabad today is the latest ~~example of~~ protest against delaying the reinstatement.

Beyond the ~~pressing~~ need to restore Pakistan's constitutional order, the ~~Pakistani~~ judicial system is in need of profound reforms to promote judicial independence, improve professionalism and transparency, respect human rights, including the right to a fair trial and successfully promote justice and combat crime and terrorism. It is essential ~~to address~~ Pakistan justice system's fragmentation and weakness, ~~and~~ to prevent Anti-Terrorism Courts' and military courts' jurisdiction in non-terrorism-related cases. The use of special counter-terrorism legal procedures must not be abused to suppress peaceful political opposition, protests or dissenting opinions.

State ~~authorities'~~ action against real terrorism suspects must comply with the principles of the rule of law and the international human rights standards, in particular on the deprivation of liberty and fair trial. ~~The Government's duty to investigate and bring to justice perpetrators of the violations of human rights in counter-terrorism and provide a remedy and reparation to victims of these violations or to their families is essential.~~

As regards the ~~numerous~~ recommendations to prevent discrimination against women, ~~safeguard women's equal rights~~ and ensure freedoms of opinion and expression, religion or belief, association and assembly as guaranteed by the Constitution, the Government of Pakistan is reminded of the accessory and substantive nature of the right to equality before the law and to equal protection of the law.

Such right has been recognized and stipulated by the Universal Declaration of Human Rights and subsequent human rights instruments, with the aim of reinforcing the universal character of all human rights. The ICJ therefore calls on the Council to disregard the contents of the paragraph 108 of the UPR Working Group's report on Pakistan.

I thank you.