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Pakistan

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European Parliament resolution of 15 November 2007 on Pakistan

The European Parliament,

- having regard to the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development which was signed on 24 November 2001 and entered into force in 2004 (also referred to as the Third Generation Cooperation Agreement), in particular Article 1 of this Agreement, which stipulates that 'respect for human rights and democratic principles ... constitutes an essential element of this Agreement';
 - having regard to the EU-Pakistan Joint Declaration of 8 February 2007 with regard to the aforementioned Cooperation Agreement, in which both sides undertook to develop a broad formalised political dialogue whose subjects would include counterterrorism, non-proliferation, human rights and good governance,
 - having regard to the Council Declaration of 8 November 2007 on the imposition of emergency rule in Pakistan, as well as to the statements by EU High Representative Solana of 4 November 2007 and by the EU Heads of Mission in Islamabad of 4 November 2007,
 - having regard to the statement by the UN Secretary General of 5 November 2007 on the detention in Pakistan of human rights and opposition activists, including the UN Special Rapporteur on freedom of religion or belief,
 - having regard to the Commonwealth Foreign Ministers' announcement on 12 November 2007 that they would suspend Pakistan from the Commonwealth if President Musharraf did not return it to constitutional order by 22 November 2007,
 - having regard to its previous resolutions on human rights and democracy in Pakistan, in particular those of 12 July⁽¹⁾ and 25 October 2007⁽²⁾,
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas on 3 November 2007 President Musharraf issued on 3 November 2007 a "Provisional Constitutional Order" (PCO), suspending the Constitution and the rule of law and replacing them by the State of Emergency, de facto martial law;
- B. whereas this move came shortly before the expected ruling of the Supreme Court on the legality of the President's third term of office while he remains head of the armed forces; whereas, in reaction, numerous lawyers and other concerned citizens took to the streets in protest, several thousands of whom were brutally beaten and arrested,
- C. whereas the recent actions of President Musharraf could lead to greater instability in the country, thus encouraging violence and extremism; whereas it is extremely concerned about the threats to peace and stability in Pakistan's neighbourhood and the whole region,
- D. whereas the Supreme Court of Pakistan has yet to hand down its ruling on the question of whether the election of President Musharraf is in conformity with the Constitution,
- E. whereas freedom of the press, independence of the judiciary, freedom of expression and assembly and freedom of political activity, which are the hallmarks of a civilised political system, have been overturned,
1. Demands unequivocally that an end be put to the state of emergency and that the 1973 Constitution of Pakistan be

reimplemented with immediate effect;

2. Expresses its solidarity with the legitimate protests by thousands of lawyers, civil society representatives and human rights activists and eminent political leaders; condemns the violence of the police against the protesters and the large-scale arrests without charge or under terrorism charges without any factual basis;
3. Is particularly concerned about the arrest of more than 3 000 citizens, including leaders of political parties, lawyers, journalists, human rights activists and representatives of civil society; demands that the house arrest of Benazir Bhutto, leader of the PPP, of Asma Jahangir, Chair of the independent Human Rights Commission and UN special rapporteur on freedom of religion or belief, and of I.A. Rehman, the founder of that organisation, be put to an immediate end; is alarmed that a detention order remains in place against Hina Jilani, the UN Special Representative of the Secretary General on Human Rights Defenders;
4. Demands that judicial independence be restored by reinstating the judiciary; demands the immediate release of all representatives of the bar associations who have been arrested after peaceful street protests; denounces in particular the unlawful house arrest of Chief Justice Chaudhry and the imprisonment of Aitzaz Ahsan, President of the Supreme Court Bar Association;
5. Reiterates its call on President Musharraf to respect the verdict of the Supreme Court – once it is reinstated – on the constitutionality of his election as President; calls on President Musharraf to renounce his position as head of the army before taking his oath for a new presidential term and before the parliamentary dispensation for him to hold both civil and military office expires on 15 November 2007;
6. Recalls that, due to the suspension of the Supreme Court, the hearings on the hundreds of enforced disappearances originally scheduled for 13 November 2007 have been put on hold and insists that the inquiry into the whereabouts of the disappeared continue and all those believed to be in secret state detention be produced before the courts;
7. Demands that all restrictions on the media be lifted and that ordinances restricting the free coverage of political events be withdrawn;
8. Calls on the Government of Pakistan to implement the necessary conditions to guarantee the holding of free, fair and transparent elections as scheduled; notes in this context the announcement made by President Musharraf on 11 November 2007 that elections to the provincial assemblies and the national assembly would be completed by 9 January 2008;
9. Demands that a completely neutral caretaker government be formed, in line with the Constitution and in consultation with all opposition parties, to oversee the polls, and that the election commission be reconstituted; calls for leaders of all political parties to be allowed to contest these elections, including former Prime Minister Nawaz Sharif, who should be allowed to return to Pakistan and to participate actively in the election process;
10. Recalls that the credibility of the election process will depend on the release of all political prisoners, including those in the unlawful custody of intelligence agencies, and on an end being put to the disappearance of political opponents, in accordance with the Supreme Court's directive; considers that freedom of speech, movement, association and assembly must be fully implemented and all restrictions on law-abiding political parties be removed;
11. Stresses that the deployment of a European Parliament observer delegation to observe the parliamentary elections in Pakistan, in the framework of an EU observer mission, depends on the fulfilment of basic preconditions for the holding of free and fair elections by the Pakistani authorities; underlines, in this context, that elections prepared and held under the state of emergency would be a clear signal of an undemocratic process;
12. Calls on the Commission to carefully consider the sending of a further exploratory mission, in the event that the state of emergency is lifted, in order to evaluate the viability of the deployment of a long-term EU election observation mission;
13. Fully supports the clear benchmarks set in the Council Declaration of 8 November 2007, by which the return to constitutional order in Pakistan is to be judged;
14. Calls on the Council and the Commission to insist that the Government of Pakistan uphold all the principles enshrined in the Cooperation Agreement, in particular the democracy and human rights clause; calls on the Commission to present a report on the implementation of the Cooperation Agreement;
15. Calls on the Commission – in this context – to consider expanding aid to Pakistan for education, poverty reduction, health care and relief work, channelling funds through secular NGOs;
16. Calls on the Member States fully to respect the EU code of conduct on arms exports;
17. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of the Islamic Republic of Pakistan and the UN Secretary-General.

(1) Texts adopted [P6_TA\(2007\)0351](#).

(2) Texts adopted [P6_TA\(2007\)0489](#).

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[Legal notice](#)