

Resolution on Pakistan

2007/2658(RSP) - 15/11/2007 - Text adopted by Parliament, topical subjects

The European Parliament adopted a joint resolution on Pakistan demanding unequivocally that **an end be put to the state of emergency** imposed by President Musharraf on 3 November 2007, and that the 1973 Constitution of Pakistan be re-implemented with immediate effect. It recalled that this move came shortly before the expected ruling by the Supreme Court on the legality of the President's third term of office while he remains head of the armed forces.

Parliament expressed its solidarity with the legitimate protests by thousands of lawyers, civil society representatives and human rights activists and eminent political leaders, condemning the violence by the police against the protesters and the large-scale arrests without charge or under terrorism charges without any factual basis. It demanded 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, and of I.A. Rehman, the founder of that organisation, be put to an immediate end. It was alarmed that a detention order remained in place against Hina Jilani, the UN Special Representative of the Secretary General on Human Rights Defenders.

Members demanded that judicial independence be restored and also demanded the immediate release of all representatives of the bar associations who had been arrested after peaceful street protests. They denounced in particular the unlawful house arrest of Chief Justice Chaudhry and the imprisonment of Aitzaz Ahsan, President of the Supreme Court Bar Association. They called again on President Musharraf to respect the verdict of the Supreme Court once it is reinstated on the constitutionality of his election as President. President Musharraf must 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.

Parliament recalled that, due to the suspension of the Supreme Court, the hearings on the hundreds of enforced disappearances originally scheduled for 13 November 2007 had been put on hold. It insisted that the inquiry into the whereabouts of the disappeared continue and all those believed to be in secret state detention must be produced before the courts. All restrictions on the media must be lifted and that ordinances restricting the free coverage of political events withdrawn.

It noted 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. Parliament demanded that a completely neutral caretaker government be formed to oversee the polls, and that the election commission be reconstituted. Leaders of all political parties must be allowed to contest these elections, including former Prime Minister Nawaz Sharif, who should be allowed to return to Pakistan. The credibility of the election process would 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. Freedom of speech, movement, association and assembly must be fully implemented and all restrictions on law-abiding political parties be removed.

Parliament stressed that the deployment of a European Parliament observer delegation to observe the parliamentary elections in Pakistan depends on the fulfilment of basic preconditions for the holding of free and fair elections by the Pakistani authorities. It underlined that elections prepared and held under the state of emergency would be a clear signal of an undemocratic process.

The Commission was asked to consider sending a further exploratory mission, should the state of emergency be lifted, in order to evaluate the viability of the deployment of a long-term EU election observation mission. Parliament fully supported the benchmarks set in the Council Declaration of 8 November 2007, by which the return to constitutional order in Pakistan is to be judged, and called 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. The Commission was asked to present a report on the implementation of the Cooperation Agreement. It was also asked to consider expanding aid to Pakistan for education, poverty reduction, health care and relief work, channelling funds through secular NGOs.

Lastly, Parliament called on Member States fully to respect the EU code of conduct on arms exports.