

AI INDEX: ASA 33/29/99

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Pakistan: a unique opportunity for the new rulers to restore respect for human rights

Newly-announced initiatives to rebuild Pakistan's economy and polity cannot succeed unless attention is paid to the restoration and protection of human rights, Amnesty International stressed today in an Open Letter to General Pervez Musharraf.

"This is a unique opportunity for the current administration to rebuild respect for the rule of law and human rights, but it must approach this task with sincerity and determination," Amnesty International said.

The human rights organization welcomes the fact that the new regime has not suspended fundamental rights and courts continue to function. It appreciates assurances in General Musharraf's policy statement, delivered on Sunday, that institutions will be *rebuilt, de-politicized and strengthened and measures will be taken to end corruption. It also regards as "timely" the general's promise to protect the country's minorities against religiously motivated violence.*

However, "efforts to rebuild Pakistan politically and economically without corresponding human rights reform will fail to create a just and equitable society", Amnesty International emphasised.

"The military leadership's priorities of ending corruption and reviving the economy are intimately related to human rights' concerns," the human rights organization pointed out.

"Endemic corruption in Pakistan's political life has led to a culture in which 'might is right', translating into crimes such as custodial violence, including rape and killings," the organization added. "There are at least a hundred deaths as a result of torture in custody every year, often linked to attempts by the police to extract money from the victim or his family."

Amnesty International calls upon the military leadership to ensure that the rule of law is respected, that equality before the law is restored and maintained in order to secure the full enjoyment of all human rights, including economic, social, cultural and civil rights. As a first step, it urges that members of the deposed government, currently held without charge or trial, be charged with recognizably criminal offences, given fair trials or else immediately and unconditionally released.

In the open letter, the organisation makes a number of recommendations for wide-ranging legal and institutional reforms, particularly:

an end to the culture of impunity in which perpetrators have often been protected by political actors;

a review and reform of the constitution, including previous and pending amendments that have undermined human rights protection. This should be done in consultation with constitutional experts and national NGOs. It must reflect Pakistan's international commitments to the protection of human rights, in particular its ratification of the UN Convention on the Elimination of All Forms of Discrimination Against Women and the UN Convention on the Rights of the Child;

reform of the judiciary, which has been severely weakened by political intervention and internal biases, and guarantees to secure its independence;

reform of the legal system to bring it into conformity with international human rights standards. It currently contains a number of laws that contravene constitutional guarantees of equality and equal protection of law, such as the Zina ordinance, which discriminates between men and women and prescribes stoning to death and flogging for fornication and rape;

reform of the police force, which is understaffed, underpaid and undertrained;

abolition of the death penalty, widely used in Pakistan, following unfair trials, including for children;

protection and equality in law for all members of religious minorities;

protection for human rights defenders, including journalists reporting abuses, rights activists, women rights groups and lawyers, who had been harassed, arbitrarily detained and falsely charged with criminal offences by the previous regime.

“Political actors and parties must actively support the reform effort,” Amnesty International concluded. “The international community must also extend advisory, technical and other support that will enable Pakistan to realise all the human rights contained in the Universal Declaration of Human Rights -- that is social, economic, cultural, civil and political rights.”

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Note to editors:

Amnesty International takes no position on forms of constitutionality of government or political measures. It is concerned solely with the protection and promotion of human rights as laid down in international human rights standards.

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