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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Jean Lambert and Cem Özdemir

on behalf of the Verts/ALE Group

on Pakistan

European Parliament resolution on Pakistan

The European Parliament,

- having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas on 3 November 2007 President Pervez Musharraf, in his capacity as Army Chief of Staff, declared a state of emergency, suspended the constitution and promulgated a Provisional Constitutional Order (PCO),
- B. whereas this move came shortly before the expected ruling by the Supreme Court on the legality of the President's new, third term of office whilst still remaining head of the armed forces, and whereas in reaction many lawyers and other concerned citizens have taken to the streets in protest, several thousand of whom have been brutally beaten and arrested,
- C. whereas seven members of the Supreme Court ruled that the PCO was unconstitutional; whereas under this emergency rule citizens' fundamental rights, such as the right to security of the person, the right to freedom from arbitrary arrest and detention, as well as freedom of movement, assembly, association and speech, are suspended,
- D. whereas the PCO prohibits any court from issuing an order against the President, Prime Minister or any person exercising powers under their authority and effectively suspends members of the higher judiciary until they take a new oath to uphold the PCO; whereas 55 out of 97 judges of the Supreme Court and the four high courts have refused to take this oath,
- E. whereas the most influential senior members of the judiciary have been placed under house arrest, notably Chief Justice Iftikar Chaudhry, the President of the Supreme Court Bar Association, Aitzaz Ahsan, as well as numerous human rights activists, including Asma Jahangir, UN Special Representative on Religious Freedom, and political activists,
- F. whereas on 4 November 2007 the office of the Human Rights Commission of Pakistan was raided by police and more than 50 human rights activists were arrested,
- G. whereas the government also issued the Pakistan Electronic Media Regulatory Authority (PEMRA) ordinance banning journalists from criticising the head of state, the military and the judiciary and curtailing the rights of private television channels,
- H. whereas Benazir Bhutto, the most prominent opposition leader, was placed under house arrest for several hours, and whereas her party's protest rally was banned,
- I. whereas the parliamentary terms of the federal and provincial assemblies expire on 15 November 2007 and President Musharraf has announced the establishment of a caretaker government and re-confirmed 5 January 2008 as the election date,

- J. whereas the special parliamentary exemption for President Musharraf to continue in his dual role as president and head of the army also expires on 15 November 2007,
1. Expresses its grave concern over the recent serious roll-back of the rule of law and democracy in Pakistan, which not only thwarts the aspirations of the Pakistani people for peace and development, but also endangers the security of its nuclear weapons arsenal and the stability of the whole region;
 2. Regrets the fact that President Musharraf risks compromising the clear progress Pakistan has achieved in recent years in terms of the independence of the judiciary and freedom of the press;
 3. Calls on President Musharraf to:
 - * end emergency rule and repeal the PCO immediately;
 - * comply with the 15 November 2007 deadline for the parliamentary exemption and step down as head of the army;
 - * re-establish the independence of Pakistan's judiciary, including its suspended former judges, notably Chief Judge Iftikar Chaudhry, and respect the pending ruling on the legality of his presidency;
 4. Calls on the Pakistani authorities to stop arbitrary arrests and detentions and to ensure that no-one is subjected to torture or other degrading or inhumane treatment or punishment; calls for the immediate and unconditional release of all those who have been arrested solely for exercising their right to freedom of expression, association and assembly;
 5. Welcomes President Musharraf's announcement on the establishment of a caretaker government and confirming that the date fixed for parliamentary elections, 5 January 2008, will be adhered to;
 6. Insists that all party leaders should be allowed to contest these elections, including the exiled former Prime Minister Nawaz Sharif;
 7. Calls on the Council and Commission to impose travel bans on government members, generals and senior officials until emergency rule has been lifted;
 8. Calls on the EU Member States to halt all arms sales to and military cooperation with Pakistan until the rule of law and democracy have been restored in that country;
 9. Calls on the EU and the Member States, as soon as the rule of law and democracy have been re-established, to increase aid to Pakistan and shift it away from anti-terrorism measures to education, health, women's empowerment and job creation;
 10. Instructs its President to forward this resolution to the Council, the Commission and the Government of Pakistan.