Pakistan, in particular the situation following the Peshawar school attack

European Parliament resolution of 15 January 2015 on Pakistan, in particular the situation following the Peshawar school attack (2015/2515(RSP))

The European Parliament,

– having regard to its previous resolutions on Pakistan, in particular that of 27 November 2014\(^1\), 17 April 2014\(^2\), 10 October 2013\(^3\) and 7 February 2013\(^4\),

– having regard to the statements by the President of the European Parliament of 16 December 2014 and the chairs of the Human Rights Subcommittee and the Delegation for Relations with South Asia of 17 December 2014,

– having regard to the statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) on the attack on a school in Peshawar, Pakistan of 16 December 2014, the Local EU Statement on the resumption of executions in Pakistan of 24 December 2014 and the press statement on the visit of the EU Special Representative for Human Rights to Pakistan of 29 October 2014,

– having regard to the statement by Nobel Peace Prize laureate and Sakharov prize winner Malala Yousafzai of 16 December 2014,

– having regard to the Cooperation Agreement between Pakistan and the EU, the Five-Year Engagement Plan, the EU-Pakistan Strategic Dialogue and the GSP+ scheme of trade preferences,

– having regard to the statements by the UN High Commissioner for Human Rights of 16 December 2014 and by the UN Committee on the Rights of the Child on the terrorist attack on a school in Peshawar of 17 December 2014,

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1 Texts adopted, P8_TA(2014)0064.
having regard to the Universal Declaration of Human Rights of 1948,

having regard to the UN Convention on the Rights of the Child of 1989,

having regard to the Council conclusions of 16 November 2009 on freedom of religion or belief, in which the Council emphasises the strategic importance of this freedom and of countering religious intolerance,

having regard to the report of 5 August 2011 to the UN General Assembly by the UN Special Rapporteur on the right to education on the protection of education during emergencies,

having regard to its resolution of 12 March 2014 on Pakistan’s regional role and political relations with the EU,

having regard to the International Covenant on Civil and Political Rights of 1966, to which Pakistan is a party,

having regard to Rules 135(5) and 123(4) of its Rules of Procedure,

A. whereas on 16 December 2014 seven armed men launched a deadly attack against an Army Public School in the city of Peshawar – which is surrounded on three sides by the Federally Administered Tribal Areas (FATA) – killing over 140 people, including 134 school children, and injuring a nearly equal number;

B. whereas this attack has created great shock inside and outside of Pakistan, being perceived as the most cruel terrorist act in Pakistan’s history, intensified by the fact that it took eight hours before military forces regained control of the school; whereas many pupils and school personnel were executed and injured in that interval and those surviving the ordeal remain deeply traumatised;

C. whereas Malala Yousafzai, the youngest ever Nobel Peace Prize winner and recipient of the Sakharov Prize, was shot in the head by Taliban gunmen in October 2012 for campaigning for girls’ education in Pakistan;

D. whereas the Tehrik-e-Taliban Pakistan (TTP) claimed responsibility for the massacre and said one of the reasons for the attack on the school was to send a strong message to the supporters of Malala, who advocates education for women and children, as well as to take ‘revenge’ for the army’s campaign against the militants;

E. whereas since the government offensive against the Taliban and other militant groups started in the FATA area, one of the poorest areas of Pakistan, over one million people have been displaced to Afghanistan or various parts of Pakistan;

F. whereas freedom of belief and religious tolerance in Pakistan are both threatened by terrorist violence and the widespread abuse of blasphemy laws; whereas women and girls are doubly exposed, both to enforced conversion and to widespread sexual violence;

G. whereas according to the report by the Global Coalition to Protect Education from Attack (GCPEA), there were over 800 or more attacks on schools in Pakistan between 2009 and

1 Texts adopted, P7_TA(2014)0208.
2012: whereas militants have also recruited children from schools and madrassas, some to be suicide bombers; whereas, according to the report, at least 30 children, dozens of school teachers and other education personnel, including one provincial education minister, were killed in attacks on schools and school transport between 2009 and 2012;

H. whereas the UN Committee on the Rights of the Child has suggested that Pakistan establish a rapid response system whenever there are attacks on educational institutions, in order to promptly repair and rebuild them and replace educational materials so that students can be reintegrated into schools/universities as soon as possible; whereas recent changes to the constitution have made access to free compulsory education a fundamental right;

I. whereas within hours of the APS Peshawar attack, Prime Minister Nawaz Sharif lifted the death penalty moratorium which had been in place for six years; whereas so far several prisoners on death row on terrorism-related charges have been executed; whereas according to Pakistani officials 500 convicts could be executed in the coming weeks; whereas there are an estimated 8 000 people on death row in Pakistan;

J. whereas on 6 January 2015, in reaction to the school massacre, the Pakistani Parliament passed a constitutional amendment which empowers military courts for the next two years to try suspected Islamist militants and could move defendants from arrest to execution in a matter of weeks; whereas as a party to the International Covenant on Civil and Political Rights (ICCPR) Pakistan is obliged to uphold and take measures to ensure basic fair trials and is prohibited from using military courts to try civilians when the regular courts are functioning;

K. whereas Pakistan recently ratified seven of the nine most significant international agreements on human rights, including the International Covenant on Civil and Political Rights and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which contain a range of provisions on the administration of justice, the right to a fair trial, equality before the law and non-discrimination;

L. whereas the recommendations made by the UN Special Rapporteur on the independence of judges and lawyers in her report of 4 April 2013 include reforming the legal system so as to ensure that fundamental rights are upheld and the system is effective; whereas human rights organisations regularly draw attention to corruption in the legal system;

M. whereas the EU and Pakistan have deepened and broadened their bilateral ties, as exemplified by the five-year engagement plan, launched in February 2012, and the second EU-Pakistan Strategic Dialogue, held in March 2014; whereas the aim of the EU-Pakistan five-year engagement plan is to build a strategic relationship and forge a partnership for peace and development rooted in shared values and principles;

N. whereas the stability of Pakistan is of a key importance to peace in South Asia and beyond; whereas Pakistan plays an important role in fostering stability in the region and could be expected to lead by example in strengthening the rule of law and human rights;

1. Strongly condemns the brutal massacre of schoolchildren perpetrated by Pakistani Taliban splinter group Tehreek-e-Taliban (TTP) as an act of horror and cowardice, and expresses its condolences to the families of the victims of the Peshawar school attack and its support
to the people and the authorities of Pakistan;

2. Expresses its full commitment to tackling the threat posed by terrorism and religious extremism and its readiness to further assist the Pakistani Government in this;

3. Expects the Government of Pakistan to take urgent and effective measures, in keeping with internationally recognised standards of the rule of law, to address the security threat posed by all militant groups operating within Pakistan and the surrounding region, without exception; underlines that no form of terrorism or extremism should be supported by the authorities;

4. Calls on the Government of Pakistan to ensure the safety of schools and to make sure that children, regardless of gender, are never intimidated while going to school; believes the government should show significantly stronger determination and strengthen its efforts to arrest and prosecute TTP militants and others who target schools for violence, failing which its international credibility will be undermined;

5. Recalls its constant opposition to the death penalty in all circumstances; regrets the decision by Prime Minister of Pakistan Nawaz Sharif to rescind a four-year unofficial moratorium on capital punishment, and calls for this moratorium to be reinstated immediately;

6. Calls on the Government of Pakistan to reserve anti-terrorism laws for acts of terror, instead of being used them to try ordinary criminal cases; regrets strongly the recourse to fast-track military justice which lacks minimal conditions of international standards of the rule of law, and underlines that the prolonged granting of GSP+ preferences is linked to the accomplishment of certain basic standards enshrined in UN and ILO conventions;

7. Welcomes the will of Pakistan’s political parties to come up with a national plan to tackle terrorism; emphasises that in the fight against terrorism and religious extremism it is crucial to work on its root causes, including by addressing poverty, ensuring religious tolerance and freedom of belief, reinforcing the rule of law and guaranteeing the right and safe access to education for girls and boys; calls for a long-term strategy to prevent the radicalisation of young people in Pakistan and tackle the ‘extensive learning crisis’ which UNESCO has established for Pakistan, in particular by increasing investment in a publicly funded education system and by making sure religious schools have the materials they need to provide a balanced and inclusive education to young people;

8. Urges the Pakistani Government to abide by the recently ratified international agreements on human rights, including the International Covenant on Civil and Political Rights and the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which oblige the authorities to ensure basic fair trials prohibiting them from using military courts to try civilians when the regular courts are functioning;

9. Calls for a renewed international commitment to fighting the financing and sponsorship of terrorist networks;

10. Calls on the Commission, Vice-President/High Representative Federica Mogherini, the European External Action Service and the Council to fully commit in order to tackle the threat posed by terrorism and to further assist the Pakistan Government and the people of
Pakistan with continuing their efforts to eradicate terrorism;

11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Secretary-General of the UN, the UN Human Rights Council, and the Government and Parliament of Pakistan.