



ATTENTION 1017 - 1017

Administrator

Interparliamentary Delegation for Non-European  
Countries - European Parliament

Fax - 02 - ~~2846670~~ 2846831

EMBASSY OF PAKISTAN

Avenue Delleur 67

1170 BRUSSELS

Tel. : (02) 873 80 07

Fax : (02) 875 83 94

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No. Pol/EU-1/2009

7 December, 2009

Dear Ms. Lambert,

Let me thank the esteemed Delegation for Relations with the countries of South Asia of the European Parliament for inviting the Embassy of Pakistan in Brussels to attend its meeting on 19 November, 2009 and for the kind invitation to speak during the meeting. The meeting demonstrated the interest the European Parliament has in Pakistan and we are grateful for the support that we continue to receive from our friends in the European Parliament specially during the current challenging times that Pakistan faces.

Excellency, let me assure you that while Pakistan continues to take bold and brave decisions to tackle terrorism in the country, it will not be possible to achieve the desired results without unflinching and strong support of our European friends. Today Pakistan pays a very heavy price for being the frontline state in the world to defeat religious extremism and terrorism. The cost we are paying is not restricted to the damage to our economy but the huge loss of innocent lives of our courageous people and the valiant security forces.

3. Pakistan is fighting against the militant extremists who have challenged our way of life. The terrorists want to weaken the state of Pakistan and its democracy.

4. While I am sure that worthy members of the European Parliament are well aware of the situation that confronts Pakistan, I would nevertheless, make an effort to further convey the following facts for the kind information of the distinguished members of the South Asia delegation.

5. Pakistan strongly condemns acts of terrorism in the world. Pakistan is determined to fight terrorism and root out this menace from its territory. Our actions against terrorism and the huge sacrifices we have rendered in fight against terrorism speak for themselves.

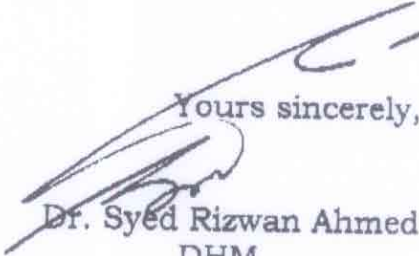
6. Since the recent offensive against the terrorists in the South Waziristan region in Pakistan, the security forces of Pakistan have rendered heavy sacrifices.
7. Despite all odds, the security forces of Pakistan have achieved successes in Swat and Malakand as well as in the ongoing operation in Waziristan. Our successes are not only limited to flushing out terrorist from there, but also to the resettlement of millions of internally dislocated persons (IDPs) and efforts to mitigate their suffering. We remain grateful to the European Union for not only extending political and diplomatic support to our efforts but also generous financial assistance.
8. Pakistan is seeking to be self sufficient and needed international support to meet the dual challenges of security and development. The economy of Pakistan is under serious strain due to unprecedented and massive expenditure on account of financing the efforts to fight terrorism and simultaneously looking after the welfare of the people who are affected by the extremist's violence.
9. A major factor that supports recruitment by the extremist is poverty. For that Pakistan is looking for trade more than aid. Pakistan looks forward to EU to help it recover its economy. Pakistan wants greater access to EU markets by concluding a Free Trade Agreement (FTA) with EU. Market access would mean more exports, more industries and more jobs for the unemployed youth who become an easy prey for the extremist predators.
10. While Pakistan is making concerted efforts to root out extremists from the Tribal Areas bordering Afghanistan and improve the human right situation by empowering women and peace loving tribes the inaccurate references in the ICG's Asia's report no. 178 becomes counter-productive.
11. The ICG is perhaps unaware that recently the democratic government of Pakistan has announced a major reform package for the tribal areas which inter-alia envisages broad institutional, political and economic changes to FATA's governance. For the first time since the creation of Pakistan, a serious effort is being made towards mainstreaming FATA. And our three-D strategy of Dialogue, Development & Deterrence is paying dividend.

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12. On the EU Action Plan for Afghanistan and Pakistan that was approved at the EU External Relations Council meeting at Luxembourg on 27 October 2009 (Agenda item 4 of the 19<sup>th</sup> November DSA meeting), we in Pakistan believe that the Action Plan contains some positive elements pertaining to Pakistan-EU engagement, however, it is regrettable that EU continues to deal with the issue of security in the rubric of Af-Pak.

13. The concept is faulty, in design, oblivious of ground realities. This fundamental strategic misconception needs to be corrected. Pakistan has complete control over all its territory and wherever there is some law & order problem, it has the capacity to address it. I think the fact not only should be appreciated but also accentuated in the EU's statement. And the Af-Pak misnomer should be avoided in the EU statements.

Yours sincerely,

  
Dr. Syed Rizwan Ahmed  
DHM  
Pakistan Embassy

Ms. Jean Lambert  
Member of the European Parliament and  
Chairperson of the Delegation for Relations  
with Countries of South Asia

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### Press Release

The International Human Rights day is commemorated on 10 December every year in Pakistan to create awareness about the promotion and protection of Human Rights across the globe. This year government of Pakistan has announced Seven Days Celebrations commencing from 10 to 17 December 2009. The theme for the celebrations will be 'Peace and Human Rights'.

Pakistan is fully committed to promoting and protecting human rights of all its citizens. The Prime Minister Syed Yusuf Raza Gilani, in his message on the occasion of International Human Rights Day reiterated the commitment of Government of Pakistan to create a society free of human sufferings and deprivation. He emphasized that the policy frame work of the Government of Pakistan on human rights envisages the elimination of injustice & poverty, safeguarding human dignity, establishing the rule of law, guaranteeing the fundamental freedom to all the citizens by making them masters of their own destiny creating a balance between the rights of individuals and their responsibilities towards the society in promoting tolerance and harmony.

The constitution of Pakistan guarantees fundamental rights for all its citizens. Pakistan was among the first few countries to sign and ratify the convention on the Rights of the Child(CRC).Pakistan has ratified International Convention on The Elimination of All forms of Racial Discrimination(ICERD),Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)and International Covenant on Economic, Social and Cultural Rights(ICESCR).Pakistan has also signed International Covenant on Civil and Political Rights(ICCPR)and Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment(CAT).In recognition of its role in the promotion of human rights, Pakistan has been re-elected to the Human Rights Council on 21 May, 2008.

Marking the Human Rights Day, President Asif Ali Zardari remarked that of late a new threat has emerged to the basic rights of people of Pakistan; it is the threat from the militants and extremists who wish to foist their political agenda on the people through the bullet in the name of religion. This is unacceptable and the nation is determined and united in fighting against this new threat to the basic right of its people to choose the way of life they wish to live. Government of Pakistan is also fully committed to defeat the militant mindset.

International Human Rights Day, observed every year is a reminder to the citizens of Pakistan to reiterate their commitment individually and collectively to make renewed efforts to promote a culture of tolerance, respect for human rights, diversity, and pluralism.

**December 10, 2009**

**PRESS RELEASE**  
2009-228-EN

Luxembourg, 24 November 2009

## **European Investment Bank signs agreements to finance renewable energy projects in Pakistan**

The European Investment Bank (EIB) is providing EUR 100 million to the Islamic Republic of Pakistan to part-finance investments in the renewable energy sector. The operation will be co-financed with the Asian Development Bank (ADB) under an innovative arrangement. Mr Carlos da Silva Costa, EIB Vice-president, Dr Syed Rizwan Ahmed, on behalf of the Government of Pakistan, and Mr Antonio Andrea Monari, Resident Director General of the Asian Development Bank, signed the relevant documents in Luxembourg today.

The EIB Vice-President said that this operation "is definitely a timely and visible contribution to the European Union (EU) policy aimed at consolidating democracy in Pakistan and supporting social and economic development in the country. It also constitutes the first mutual reliance arrangement between the ADB and EIB. This is indeed a trail-blazing approach and I hope it is the first of many such operations, bearing testimony to the excellent cooperation."

The lending operation is structured as a framework scheme, under which the EIB will support a series of investments in the renewable energy sector in Pakistan, thereby contributing to the mitigation of climate change, one of the core objectives of the European Union's mandate for lending in Asia. The investments will be part of the multi-year programme to develop the renewable energy sector in Pakistan set up by the country's government, for a total amount of USD 2.2 billion. The programme has also the financial support of the ADB (USD 510 million) and is backed by technical assistance from ADB, the World Bank and bilateral development agencies (USAID and Germany's GTZ).

EIB-ADB collaboration in the project will make it possible to exploit synergies between the two financial institutions and will minimise the transaction costs to the borrower. Under the co-financing Agreement signed between the EIB and ADB, the EIB will be delegating to the ADB a series of tasks concerning loan administration and project monitoring. This innovative approach is in line with the principles of the 2005 *Paris declaration on aid effectiveness*, and with the 2008 *Accra Agenda for Action*, which call for a reduction in the fragmentation of aid by improving the complementarity of donors' efforts and the division of labour among donors.

This is the EIB's fifth lending operation in Pakistan, where it started operations in 1993. It is also the third operation with Pakistan's Ministry of Finance.

### **Background:**

The European Investment Bank is the EU's long-term financing institution promoting European objectives. Set up in 1957, the EIB operates in the 27 EU Member States and more than 130 other countries in Asia and Latin America, Central and Eastern Europe, the Balkans, the Mediterranean region, Africa, the Caribbean and the Pacific. Lending operations outside the EU are part of the EU's cooperation policy with third countries.

Since 1993 the Bank has carried out four successive lending mandates for Asia and Latin America. Under the current mandate (ALA IV), covering the period 2007-2013, the EIB is authorised to lend up to EUR 3.8 billion for financing operations that contribute to climate change mitigation or support the EU presence in those regions through foreign direct investment or the transfer of technology and know-how. The EUR 3.8 billion regional ceiling is broken down into indicative sub-ceilings of EUR 1 billion for Asia and EUR 2.8 billion for Latin America.

### **Press contact:**

Mercedes Sendin de Cáceres - email: [m.sendin@eib.org](mailto:m.sendin@eib.org) - tel.: +34 91 431 13 40  
See also: <http://www.eib.org>

# URGENT ACTION

## TWO POLITICAL ACTIVISTS DISAPPEARED IN PAKISTAN

**Aakash Mallah, Vice Chairman of the Sindh nationalist party Jeay Sindh Qaumi Mahaz (JSQM), and JSQM activist Noor Mohammad Khaskheli, were abducted on 30 October, in Sindh province, south-eastern Pakistan. Local sources believe the two men were subjected to enforced disappearances by government security officials. They could be at risk of torture or other ill-treatment.**

A relative of Aakash Mallah reported that he saw the two men being taken by between 10 to 12 men, some of them in police uniform, while Aakash Mallah and Noor Mohammad Khaskheli were on their way to a mosque in Hyderabad city, Sindh Province. The JSQM Chairman, Basheer Qureshi, believes that both men were apprehended by law enforcement agencies to halt a "March for Independence" demonstration organized by the political party and due to be held on 7 November in Karachi, the capital of Sindh Province.

The family of Aakash Mallah have filed a habeas corpus petition before the Hyderabad District and Sessions Court on 4 November and before the Sindh High Court (Hyderabad Branch) the following day. The Hyderabad District Police Officer appeared before the Sindh High Court on 24 November and responded in writing, stating that Aakash Mallah and Noor Mohammad were not in police custody within their jurisdiction. The next hearing in the Sindh High Court is scheduled on 9 December. Relatives of Aakash Mallah claim that they have been receiving threatening phone calls, warning them not to approach the courts or contact the media about the reported abduction.

### PLEASE WRITE IMMEDIATELY in English or your own language:

- √ Expressing concern that Aakash Mallah, a Vice Chairman of the Sindh nationalist party JSQM and party activist Noor Mohammad Khaskheli have not been seen or heard from since 30 October;
- √ Urging the authorities to conduct an immediate, prompt and impartial investigation into the whereabouts of Aakash Mallah and Noor Mohammad Khaskheli and inform their relatives, and ensure that those who may have been involved in their enforced disappearance, including at the highest levels of command, are promptly brought to justice and the victims are granted reparations;
- √ Insisting that the authorities release them immediately if they are held in their custody, unless they are transferred to an official place of detention and promptly charged with an internationally recognizable offence and remanded by an independent court;
- √ Calling on the authorities to ensure that Aakash Mallah and Noor Mohammad Khaskheli are not tortured or ill-treated, and are allowed unrestricted access to family, lawyers of their choice and any medical treatment they may require.

### PLEASE SEND APPEALS BEFORE 15 JANUARY 2010 TO:

#### President of Pakistan

Mr Asif Ali Zardari  
Pakistan Secretariat  
Islamabad  
Pakistan  
Fax: +92 51 9221422 / 2282741

**Salutation: Dear President**

#### Chief Minister Sindh

Syed Qaim Ali Shah  
Chief Minister House,  
Dr Zaiuddin Ahmed Road  
Karachi, Sindh Province  
Pakistan  
Fax: +92-21-9211368

**Salutation: Dear Chief Minister**

#### Home Minister of Sindh

Mr Zulfiqar Mirza  
Karachi  
Sindh Province  
Pakistan  
Fax: +92-21-9204922

**Salutation: Dear Minister**

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

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# URGENT ACTION

## TWO POLITICAL ACTIVISTS DISAPPEARED IN PAKISTAN

### ADDITIONAL INFORMATION

Aakash Mallah was subjected to enforced disappearance in 2006 for a period of over 10 months and claimed that he was tortured in detention, on account of his affiliation with the Sindhi nationalist movement. He was brought before a court in Mirpur Khas in Sindh Province in February 2007 and released the next month.

Since Pakistan became a key ally in the US-led "war on terror" in late 2001, hundreds, if not thousands of people, both Pakistani and foreign nationals have been subjected to enforced disappearances in Pakistan. As a result of this practice, people are kidnapped, held in secret locations outside any judicial or legal system, and are often being subjected to torture or other ill-treatment. The clandestine nature of the arrests and detentions of suspects makes it impossible to know exactly how many people have been subjected to enforced disappearance in the last eight years.

The practice initially focused on those suspected of involvement in acts of terrorism but then spread to domestic opponents of the Pakistani government, in particular Baloch and Sindhi nationalists. Held in secret detention out of sight and without charge, without access to their families or lawyers, their fate and whereabouts remain unknown.

Despite several pledges by the Pakistan's new civilian government in 2008 to resolve the country's crisis of 'disappearances', the authorities have not yet provided information about hundreds of cases of people believed to be held secretly by the government as part of the so-called "war on terror", or in response to internal opposition in Baluchistan or Sindh provinces. The Government has also failed to fulfil its promise made in May 2008 that it would accede to the International Convention for the Protection of All Persons from Enforced Disappearance.

Acts of enforced disappearance violate several provisions of Pakistan's Constitution, including freedom from arbitrary detention, the right to judicial overview of detentions and the prohibition of torture.

Enforced disappearance is defined in Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance which the UN General Assembly adopted in December 2006, as: "[...] the arrest, detention, abduction, or any other form of deprivation of liberty by agents of the state or by persons or groups of persons acting with the authorization, support, or acquiescence of the state, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."

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# ACTION URGENTE

## DEUX MILITANTS POLITIQUES VICTIMES DE DISPARITION FORCÉE AU PAKISTAN

**Aakash Mallah, vice-président du Front pour que vive le Sind (JSQM), un parti nationaliste sindhi, et Noor Mohammad Khaskheli, un militant de ce parti, ont été enlevés le 30 octobre dans la province du Sind (sud-est du Pakistan). Selon des sources locales, ces deux hommes ont été victimes d'une disparition forcée organisée par des membres des forces de sécurité gouvernementales. Ils risquent de subir des actes de torture ou d'autres formes de mauvais traitements.**

Un proche d'Aakash Mallah a indiqué qu'il avait vu entre 10 et 12 hommes – certains en uniforme de policier – emmener Aakash Mallah et Noor Mohammad Khaskheli alors que ceux-ci se rendaient dans une mosquée d'Hyderabad, dans la province du Sind. Le président du JSQM, Basheer Qureshi, pense que ces deux personnes ont été appréhendées par les services chargés du maintien de l'ordre afin d'empêcher une « marche pour l'indépendance » organisée par ce parti politique et qui devait se tenir le 7 novembre à Karachi, la capitale de la province du Sind.

La famille d'Aakash Mallah a déposé une requête en *habeas corpus* auprès du tribunal de district et de grande instance d'Hyderabad le 4 novembre et auprès de la haute cour du Sind (section d'Hyderabad) le lendemain. Le responsable de la police du district d'Hyderabad a comparu devant cette cour le 24 novembre et a répondu par écrit, en affirmant qu'Aakash Mallah et Noor Mohammad Khaskheli n'étaient pas en garde à vue dans ses services. La prochaine audience devant la haute cour du Sind a été fixée au 9 décembre. Des proches d'Aakash Mallah ont déclaré qu'ils avaient reçu des appels téléphoniques de menace leur interdisant de saisir les tribunaux ou de contacter les médias au sujet de son enlèvement.

### DANS LES APPELS QUE VOUS FEREZ PARVENIR LE PLUS VITE POSSIBLE AUX DESTINATAIRES MENTIONNÉS CI-APRÈS (en anglais ou dans votre propre langue) :

- dites-vous préoccupé par le fait que l'on est sans nouvelles d'Aakash Mallah, vice-président du parti nationaliste sindhi JSQM, et de Noor Mohammad Khaskheli, militant de ce parti, depuis le 30 octobre ;
- exhortez les autorités à ouvrir sans délai une enquête impartiale visant à découvrir où se trouvent Aakash Mallah et Noor Mohammad Khaskheli, et à en informer leurs familles ; priez-les instamment de faire en sorte que les responsables présumés de leur disparition forcée, même au plus haut niveau de la chaîne de commandement, soient rapidement traduits en justice et que les victimes obtiennent réparation ;
- insistez auprès des autorités pour qu'elles libèrent immédiatement ces deux hommes si elles les détiennent, à moins qu'ils ne soient transférés dans un centre de détention officiel, inculpés sans délai d'une infraction universellement reconnue et placés en détention provisoire par un tribunal indépendant ;
- engagez-les à veiller à ce qu'ils ne soient ni torturés ni soumis à d'autres formes de mauvais traitements, et à ce qu'ils soient autorisés sans restriction à entrer en contact avec leurs proches et avec un avocat de leur choix, ainsi qu'à recevoir tous les soins médicaux dont ils pourraient avoir besoin.

### ENVOYEZ VOS APPELS AVANT LE 15 JANVIER 2010 À :

#### Président du Pakistan :

Mr Asif Ali Zardari  
Pakistan Secretariat  
Islamabad  
Pakistan  
Fax : +92 51 9221422 / 2282741  
Formule d'appel : *Dear President, / Monsieur le Président,*

#### Premier ministre de la province du Sind :

Syed Qaim Ali Shah  
Chief Minister House,  
Dr Zaiuddin Ahmed Road  
Karachi, Sindh Province  
Pakistan  
Fax : +92-21-9211368  
Formule d'appel : *Dear Chief Minister, / Monsieur le Premier ministre,*

#### Ministre de l'Intérieur de la province du Sind :

Mr Zulfiqar Mirza  
Karachi  
Sindh Province  
Pakistan  
Fax : +92-21-9204922  
Formule d'appel : *Dear Minister, / Monsieur le Ministre,*

**Veillez également adresser des copies aux représentants diplomatiques du Pakistan dans votre pays. Vérifiez auprès de votre section s'il faut encore intervenir après la date indiquée ci-dessus. Merci.**

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# ACTION URGENTE

## DEUX MILITANTS POLITIQUES VICTIMES DE DISPARITION FORCÉE AU PAKISTAN

### INFORMATIONS GÉNÉRALES

Aakash Mallah a été victime d'une disparition forcée qui a duré plus de dix mois en 2006 et a affirmé qu'il avait été torturé en détention en raison de son appartenance au mouvement nationaliste sindhi. Il a comparu en février 2007 devant un tribunal de Mirpur Khas, dans la province du Sind, avant d'être libéré le mois suivant.

Depuis que le Pakistan est devenu un allié majeur dans la « guerre contre le terrorisme » menée par les États-Unis depuis fin 2001, des centaines voire des milliers de personnes, pakistanaises ou étrangères, ont été victimes de disparition forcée dans ce pays. Les personnes victimes de cette pratique sont enlevées, détenues dans des lieux tenus secrets et ne relevant pas du système judiciaire, et sont fréquemment soumises à des actes de torture ou à d'autres mauvais traitements. Il est difficile de connaître le nombre exact de personnes victimes de disparition forcée au cours des huit dernières années à cause de la nature clandestine de l'arrestation et de la détention des suspects.

Cette pratique, infligée dans un premier temps aux personnes soupçonnées d'avoir participé à des actes de terrorisme, s'est étendue aux opposants au gouvernement pakistanais, en particulier aux nationalistes baloutches et sindhis. Ils sont détenus sans inculpation dans des endroits tenus secrets et isolés, sans pouvoir entrer en contact avec leurs proches ni leurs avocats ; leur sort et leur lieu de détention demeurent inconnus.

Bien que le nouveau gouvernement civil du Pakistan ait promis à plusieurs reprises en 2008 de résoudre les nombreuses affaires de « disparition », il n'a pas encore fourni d'informations au sujet des centaines de personnes qui seraient détenues par les autorités dans des lieux tenus secrets dans le cadre de la « guerre contre le terrorisme » ou en réaction à l'opposition intérieure issue des provinces du Baloutchistan et du Sind. Par ailleurs, le gouvernement, qui devait adhérer à la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées, n'a pas respecté son engagement pris en mai 2008.

Les disparitions forcées violent également plusieurs dispositions de la Constitution pakistanaise, notamment le droit de ne pas être détenu de manière arbitraire et de bénéficier d'un réexamen judiciaire du bien-fondé de la détention, ainsi que la prohibition de la torture.

Aux termes de l'article 2 de la Convention internationale sur la protection de toutes les personnes contre les disparitions forcées, adoptée en décembre 2006 par l'Assemblée générale des Nations unies, on entend par disparition forcée « l'arrestation, la détention, l'enlèvement ou toute autre forme de privation de liberté par des agents de l'État ou par des personnes ou des groupes de personnes qui agissent avec l'autorisation, l'appui ou l'acquiescement de l'État, suivi du déni de la reconnaissance de la privation de liberté ou de la dissimulation du sort réservé à la personne disparue ou du lieu où elle se trouve, la soustrayant à la protection de la loi ».

AU 325/09, ASA 33/012/2009, 4 décembre 2009

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