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## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Cem Özdemir, Jean Lambert and Gisela Kallenbach

on behalf of the Verts/ALE Group

on Pakistan

**European Parliament resolution on Pakistan**

*The European Parliament,*

- having regard to the Co-operation Agreement between the European Community and the Islamic Republic of Pakistan on Partnership and Development of 24 November 2001, (also referred to as the third-generation Co-operation Agreement), in particular Article 1 of the agreement which stipulates that 'respect for human rights and democratic principles...constitutes an essential element of this agreement',
- having regard to the EU/Pakistan Joint Declaration of 8 February 2007 with regard to the 2004 Cooperation agreement, in which both sides undertake to develop a broad formalised political dialogue which includes, amongst other things, counterterrorism, non-proliferation, human rights and good governance,
- having regard to the fact that parliamentary, provincial and presidential elections are due to be held later this year,
- having regard to its previous resolutions on human rights and democracy in Pakistan, in particular those of 10 February 2004 and 22 April 2004,
- having regard to Rule 115 of its Rules of Procedure,
- A. whereas a series of constitutional amendments under the Musharraf administration have substantially altered the political system in Pakistan and succeeded in transforming the system of governance from a parliamentary to a presidential system, where the President has the power to overrule or to dismiss parliament,
- B. whereas in 1999 General Musharraf declared a state of emergency and dissolved the parliament through a military coup,
- C. whereas in April 2002, through an unconstitutional referendum Musharraf was elected president followed by flawed national elections,
- D. whereas the special authorization which the present parliament gave President Musharraf in violation of the 1973 Constitution, enabling him to hold the post of army chief, expires in December 2007,
- E. whereas the military and the secret service continue to exert a strong influence on politics, government and the economy of Pakistan, a situation which runs contrary to the principle of the roadmap for the restoration of democracy, where it was envisaged that power would be transferred from the military back to a civilian administration,
- F. whereas recent events, including the suspension of the Chief Justice of Pakistan on

9 March on as yet unproven charges of misconduct and the continuing popular protests that have been sparked by this action, have increased the urgency of addressing the issue of democracy and the rule of law in Pakistan,

- G. whereas the latest occupation of the Red Mosque in Karachi, where religious extremists apparently hold several hundred mostly female Madrasa students hostage has already taken a high death toll, and is a clear demonstration of the power of the radical Islamist movement, against which President Musharraf has failed to react quickly or decisively; underscores the strong influence of the Madrasas which have grown at exponential rates over recent years to the detriment of the public school system,
- H. whereas in violation of the 1999 Supreme Court ruling that basic rights and political freedoms should be extended to the Northern Areas, they continue to be ruled by executive order from Islamabad by an unelected chief executive, and whereas the alliance between the military and Sunni Islamists has further weakened moderate forces in the region,
- I. whereas in agreement with the local pro-Taliban militants the Pakistani government agreed, in April 2004 and September 2006 respectively, to withdraw its army from the area and to hand over Waziristan to the control of local extremists and militants,
- J. whereas the European Union provides significant funding to Pakistan for poverty alleviation and social-sector development,
- 1. Expresses great concern at the continued occupation of the Red Mosque, calls on the authorities to do their utmost to spare the lives of the hostages and urges the Pakistani government to finally undertake the most needed radical reform of its educational system in order to guarantee free and qualified secular education for Pakistani youth;
- 2. Urges the Government of Pakistan to return to democratic government by holding free, fair and democratic elections by the end of the year and warns against the imposition of emergency rule or other measures stifling freedom of speech, association, assembly or movement;
- 3. Encourages President Musharraf to respect the constitution by allowing the new assemblies to hold presidential elections and by giving up the post of army chief;
- 4. Urges the Pakistani army to allow a return to democracy through free and fair elections, including the possibility for exiled political leaders to return to Pakistan; calls for measures to be taken to limit the influence of the military and other armed groups on the political process;
- 5. Welcomes the fact that the EU will monitor the general elections in Pakistan and that the EP will participate in the observer mission; is concerned, however, about a number of aspects in the run-up to these elections, in particular about;
  - the neutrality of the caretaker government, which will be formed three months before

- the elections and be appointed by President Musharraf;
  - the fact that a bachelor's degree is required as a precondition for candidature; this excludes 70% of Pakistani women from standing for election. Furthermore, it is unacceptable that a Madrasa degree should be considered equivalent to a bachelor's degree;
  - the lack of legitimacy of the future President of Pakistan if he is to be elected by the outgoing Assembly;
6. Calls upon the Council and the Commission to deliver a clear message to President Musharraf that a transition to democratic rule is the only acceptable way out of the current crisis;
  7. Urges the Council and the Commission to take a firm stand on upholding the democracy and human rights clause in its agreements with Pakistan and calls for intensive political dialogue on human rights and good governance;
  8. Calls on the Pakistani government to agree that a major focus of EU aid should be the improvement of public education and economic investments in Pakistan's tribal areas;
  9. Calls for the strengthening of democratic institutions and a return to civilian rule in Pakistan, in line with previous commitments made by President Musharraf;
  10. Is deeply concerned about the suspension of the Chief Justice of the Supreme Court on alleged charges of misconduct, which was widely regarded as an attempt by the government to maintain control over the judiciary in election year; calls for the independence of the judiciary and the rule of law to be respected, urges the government of Pakistan to take appropriate steps to reverse the current negative trend in relation to this and to refrain from any political interference in the case currently being heard in the Supreme Court;
  11. Greatly regrets the deaths of 41 civilians during political demonstrations in Karachi on 12 May, condemns the use of force to achieve political ends, whether perpetrated by government allied forces or by members of opposition political parties;
  12. Condemns all attempts by the government to control media freedom by introducing amendments to broadcasting licences, restricting the live broadcasting of outdoor events and issuing government directives to media and broadcasting associations; condemns all forms of threat, coercion and intimidation of journalists and broadcasters;
  13. Is concerned at the numerous well-documented cases of 'disappearances' which have involved terrorist suspects, journalists, students, members of Baluch nationalist movements and other political activists and strongly emphasises that abductions, extra-judicial killings and imprisonment without trial are contrary to fundamental principles of international law, including the right to life and rights of due process;
  14. Notes with concern the continuing reports of repression against religious minorities, such as forcible evictions of Christian farmers in Punjab;

15. Is concerned that while President Musharraf has pledged his commitment to tackling terrorism and extremism at an international level, the domestic political alliances that exist between the government, the military and religious fundamentalists may hamper the government's ability to address the issue of extremism and fundamentalism;
16. Is concerned at the increasing instability and proliferation of insurgency-related violence in the tribal areas and particularly in Waziristan and notes, in particular, the occurrence of a number of suicide bombings, including the attempt on the life of the Interior Minister in Peshawar on 28 April;
17. Expresses its concern that the Waziristan agreements will further nurture repressive structures and militancy and calls on future Pakistani governments to do everything possible in order to reverse the situation by fostering the rule of law and the extension of civil and political rights in the area;
18. Calls for increased dialogue with provincial and local leaders on the possibility of greater provincial autonomy or for increased representation of the interests of the provinces at national level; condemns the government's repressive policies in Baluchistan, where there are continuing demands for greater provincial autonomy and increased regional control over the substantial natural resources in the area;
19. Calls on the government to implement the recommendations of Pakistan's Supreme Court and to extend basic rights and political freedoms to the Northern Areas;
20. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the government of Pakistan.