



General Assembly

Distr.: General
28 September 2020

English only

Human Rights Council

Forty-fifth session

14 September–2 October 2020

Agenda item 5

Human rights bodies and mechanisms

Written statement* submitted by United Nations Watch, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2020]

* Issued as received, in the language(s) of submission only.

GE.20-12629(E)



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Candidacy of Pakistan for United Nations (UN) Human Rights Council membership for 2021-2023

Pakistan is running for election to the UN Human Rights Council (HRC) for the 2021-2023 term. Its candidacy should be rejected because Pakistan does not meet the membership criteria set out in UN General Assembly (GA) Resolution 60/251.

Though one often hears the argument that it is normal for the United Nations to welcome all manner of countries on its Human Rights Council, including even those who commit gross and systematic human rights abuses, the truth is that the presence of abusers on the Council contradicts its own charter.

According to UNGA Resolution 60/251, which established the Council in 2006, General Assembly members are obliged to elect states to the Council by considering “the candidates’ contribution to the promotion and protection of human rights and their voluntary pledges and commitments made thereto.” Members must pledge to “uphold the highest standards” in the “promotion and protection of human rights.”

As detailed below, Pakistan is not qualified for membership in the Human Rights Council according to the above criteria.

Claims Versus Facts

Pakistan’s campaign pledge to the UNHRC¹ includes the following claims:

1. Claim: “Pakistan attaches high importance to the work of the Human Rights Council.”

Facts: Pakistan does not cooperate with the UNHRC’s human rights experts, known as the Special Procedures. The last visits to Pakistan were in 2012 by the Special Rapporteur on the independence of judges and lawyers and the Working Group on Enforced or Involuntary Disappearances.² Since 2012, Pakistan barred access to the experts on freedom of expression, torture, freedom of religion, human rights defenders, extrajudicial killings, freedom of assembly, among others.³

2. Claim: “Rights of the child remains one of the major areas of focus for Pakistan.”

Facts: Pakistani children are subjected to multiple forms of violence and abuse including exploitative labor practices, sexual abuse and child marriage. According to the United Nations Children’s Fund, Pakistan has the sixth highest number of child brides in the world.⁴ Human Rights Watch (HRW) reports that “an average of 11 cases of child sexual abuse are reported daily across Pakistan,” including of girls as young as 5.⁵ Furthermore, child labor remains a serious problem, including sale of children into domestic servitude and kidnapping of children for sale to militant groups, organized begging or child sex trafficking.⁶

3. Claim: “Pakistan will preserve, promote and strengthen freedoms of the press, communication, assembly, expression or opinion...”

¹ Note verbale dated 18 June 2020 from the Permanent Mission of Pakistan, UN Doc. A/75/119.

² Pakistan country page, Office of the UN High Commissioner for Human Rights (OHCHR) <https://www.ohchr.org/EN/Countries/AsiaRegion/Pages/PKIndex.aspx> (last visited August 16, 2020).

³ Country visits of Special Procedures, OHCHR, <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&Lang=en> (last visited August 16, 2020).

⁴ Pakistan, Girls not Brides, <https://www.girlsnotbrides.org/child-marriage/pakistan/#:~:text=21%25%20of%20girls%20in%20Pakistan,areas%20and%20in%20Gilgit%20Baltistan> (last visited Aug. 16, 2020).

⁵ Saroop Ijaz, Protect Pakistan’s Children from Sexual Abuse, HRW (August 14, 2018), <https://www.hrw.org/news/2018/08/14/protect-pakistans-children-sexual-abuse>.

⁶ United States of America (U.S.) Department of State, Bureau of Democracy, H.R. and Lab., 2019 Country Reports on Human Rights Practices: Pakistan (March 11, 2020), <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/pakistan/> [Hereinafter: “State Department Report on Pakistan”].

Facts: Pakistan ranks in the bottom 20% of the Reporters Sans Frontiers (RSF) world press freedom index (145/180).⁷ RSF reports widespread military censorship over the media.⁸ This includes government targeting of journalists, television programs and stations and media companies.⁹ In addition, journalists are subjected to violence. Four journalists and a blogger were killed in 2019.¹⁰ In 2018, Pakistani journalist Taha Siddiqui fled country after escaping an attempted abduction by the military. “My life is under threat,” he said at the time.¹¹

4. Claim: “Pakistan will continue to protect the rights of minorities and promote further interfaith harmony.”

Facts: Religious minorities in Pakistan suffer from discrimination, sectarian violence and forced conversions. Blasphemy laws are exploited to attack and persecute members of religious minorities, particularly Christians.¹² Christian mother of five Asia Bibi spent eight years on death row in Pakistan for blasphemy after she got into a dispute with local Muslim women over a cup of water. Two Pakistani politicians were killed for supporting her.¹³ In April 2017, Pakistani student Mashal Khan was brutally lynched after he was accused of posting blasphemous content on social media.¹⁴

Human Rights Record

- Unlawful or arbitrary killings
- Forced disappearances
- Torture
- Arbitrary detention
- Arbitrary interference with privacy
- Restrictions on freedom of expression and the press
- Violence against journalists
- Restrictions on freedom of association
- Restrictions on religious freedom
- Recruitment of child soldiers by nonstate militant groups
- Human trafficking
- Violence against racial and ethnic minorities
- Violence against lesbian, gay, bisexual and transgender persons
- Criminalization of same-sex conduct
- Child labor

⁷ 2020 World Press Freedom Index, RSF, <https://rsf.org/en/ranking>, (last visited August 16, 2020).

⁸ Pakistan, RSF, <https://rsf.org/en/pakistan>, (last visited August 16, 2020).

⁹ Freedom in the World 2020: Pakistan, Freedom House (2020), <https://freedomhouse.org/country/pakistan/freedom-world/2020>.

¹⁰ Pakistan, RSF, *supra* note 8.

¹¹ Drazen Jorgic, Pakistani journalist critical of military escapes kidnap attempt, Reuters (January 10, 2018), <https://www.reuters.com/article/us-pakistan-media-kidnapping/pakistani-journalist-critical-of-military-escapes-kidnap-attempt-idUSKBN1EZ0TK>.

¹² Freedom in the World 2020: Pakistan, *supra* note 9.

¹³ Emma Graham-Harrison, Asia Bibi: Pakistani woman jailed for blasphemy releases photos in exile, Guardian (January 28, 2020), <https://www.theguardian.com/world/2020/jan/28/asia-bibi-pakistani-woman-jailed-for-blasphemy-releases-photos-in-exile>.

¹⁴ Jibrán Ahmed, Pakistani student accused of blasphemy beaten to death on campus, Reuters (April 13, 2017), <https://www.reuters.com/article/us-pakistan-blasphemy/pakistani-student-accused-of-blasphemy-beaten-to-death-on-campus-idUSKBN17F1ZL>.

Large areas of Pakistan continue to suffer from terrorist violence targeting civilians and the military, mostly perpetrated by the Tehrik-Taliban Pakistan (TTP).¹⁵ Pakistani military and security forces are accused of heavy-handed tactics in responding to the militants, including extrajudicial killings, arbitrary detentions and forced disappearances.¹⁶

In addition, torture by police and security forces is common. In its 2017 concluding observations for Pakistan, the Committee Against Torture expressed concern about widespread police torture to obtain confessions, as well as torture in counterterrorism efforts.¹⁷ The practice continues. In September 2019, mentally ill Salahuddin Ayubi was arrested for robbing a cash machine. He died in police custody two days later, after having been tortured.¹⁸

While officially Pakistan has freedom of the press, journalists and their families are often victims of violence and harassment.¹⁹ Many media outlets say they practice self-censorship. Content is also restricted through the “Code of Ethics” and anti-blasphemy laws.²⁰ In January 2020, the government adopted sweeping new regulations allowing it to arbitrarily demand removal of offending internet content, as well as the surrender of user data.²¹

Human Rights Watch describes violence against women and girls in Pakistan as “common,” with local human rights groups estimating 1,000 honor killings per year.²² These horrific crimes are underreported and frequently pardoned by the family, despite changes to the law partially eliminating the pardon loophole. In May 2020, two cousins were allegedly shot and killed by family after a video of them kissing a man was circulated online.²³ Other violations against women include domestic violence, child marriage, trafficking in brides and sexual violence perpetrated by the police.²⁴

UN Voting Record

Negative: Pakistan voted against resolutions in the General Assembly that spoke out for human rights victims in the Islamic Republic of Iran. Pakistan refused to support victims of violations in the Syrian Arab Republic and the Autonomous Republic of Crimea (Ukraine) by abstaining on those resolutions. In addition, Pakistan backed human rights abusers through a resolution denying the right to sanction such governments.

¹⁵ U.S. Department of State, Bureau of Democracy, H.R. and Lab., 2019 Country Reports on Terrorism: Pakistan (2020), [https://www.state.gov/reports/country-reports-on-terrorism-2019/pakistan/#:~:text=Pakistan%20experienced%20significant%20terrorist%20threats,Taliban\)%20and%20ISIS%20DK;Global%20Conflict%20Tracker:Islamist%20militancy%20in%20Pakistan,CFR\(August%2013,%202020\),https://www.cfr.org/global-conflict-tracker/conflict/islamist-militancy-pakistan](https://www.state.gov/reports/country-reports-on-terrorism-2019/pakistan/#:~:text=Pakistan%20experienced%20significant%20terrorist%20threats,Taliban)%20and%20ISIS%20DK;Global%20Conflict%20Tracker:Islamist%20militancy%20in%20Pakistan,CFR(August%2013,%202020),https://www.cfr.org/global-conflict-tracker/conflict/islamist-militancy-pakistan).

¹⁶ World Report 2019: Pakistan Events of 2018, HRW (2019), <https://www.hrw.org/world-report/2020/country-chapters/pakistan>, [Hereinafter, HRW Report: Pakistan].

¹⁷ Concluding observations on the initial report of Pakistan, UN Doc. CAT/C/PAK/CO/1, ¶ 6, 12 (June 1, 2017).

¹⁸ <https://www.dw.com/en/deaths-in-custody-the-culture-of-police-torture-in-pakistan/a-50474723>.

¹⁹ State Department Report on Pakistan, *supra* note 6.

²⁰ *Id.*

²¹ RSF Condemns Pakistan’s Latest Bid to Censor Social Media, RSF (February 18, 2020), <https://rsf.org/en/news/rsf-condemns-pakistans-latest-bid-censor-social-media>.

²² Submission to the Committee on Elimination of Discrimination Against Women Review of Pakistan, HRW (January 10, 2020), <https://www.hrw.org/news/2020/01/10/submission-committee-elimination-discrimination-against-women-review-pakistan>; Saroop Ijaz, Pakistan Should Not Again Fail ‘Honor Killing’ Victim, HRW (August 22, 2019), <https://www.hrw.org/news/2019/08/22/pakistan-should-not-again-fail-honor-killing-victim>.

²³ Emiko Jozuka and Sofia Saifi, Two Pakistani women murdered in so-called honor killing after a leaked video circulates online, CNN (May 18, 2020), <https://edition.cnn.com/2020/05/18/asia/pakistan-honor-killing-hnk-intl/index.html>.

²⁴ HRW Submission to the Committee on Violence Against Women, *supra* note 22; S. Khan, Violence against women on the rise in Pakistan, Deutsche Welle (September 23, 2019), <https://www.dw.com/en/violence-against-women-on-the-rise-in-pakistan/a-50550672>.