

**United Nations Human Rights Council
22nd Regular Session, 25 February to 22 March 2013
Agenda Item 6**

ICJ Oral Statement in the Interactive Dialogue on the adoption of the UPR Outcome Document on Pakistan

A CALL FOR ACCEPTANCE OF RECOMMENDATIONS ON THE DEATH PENALTY AND ENFORCED DISAPPEARANCES IN PAKISTAN

14 March 2013

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Mr President,

The International Commission of Jurists (ICJ) and its partner in Pakistan, the Human Rights Commission of Pakistan, welcome the engagement of Pakistan in the Universal Periodic Review (UPR), but express regret over recent events reversing a *de facto* moratorium on the imposition of the death penalty in the country.

On 15 November 2012, Pakistan executed Muhammad Hussain, a former army service person convicted of murder. The execution ended an unofficial moratorium on the death penalty observed by Pakistan since December 2008. It constitutes a major step back for human rights in the country.

In 2007, the UN General Assembly adopted Resolution 62/149 calling on member States to establish a moratorium on the imposition of the death penalty "with a view to abolishing the death penalty". The Resolution emphasized that "that the use of the death penalty undermines human dignity" and was reaffirmed by the General Assembly in 2008, 2010 and 2012.

There are now more than 7,000 people on death row in Pakistan. Capital punishment is prescribed for 27 different offences, including blasphemy, sexual intercourse outside of marriage, kidnapping or abduction, rape, assault on the modesty of woman and the stripping of a woman's clothes, smuggling of drugs, arms trading and sabotage of the railway system. Many of these crimes do not meet the threshold of *most serious crimes* stipulated by Article 6 of the ICCPR.

The ICJ strongly urges Pakistan to accept the recommendations to adopt an official moratorium on the imposition of the death penalty with a view to abolish the death penalty in law (Recommendations 122.98, 122.99 and 122.100 in the UPR Outcome Document). The ICJ further recommends that Pakistan accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) on the abolition of the death penalty; as well as to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and effectively resolve all cases of enforced disappearance in the country.

I thank you.

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