

Vaclav Klaus
President of the Czech Republic
Presidency of the Council of the European Union

15 June 2009
Ref: B878

Dear Mr Klaus,

EU Pakistan summit: 17 June

We are writing to urge you to use the opportunity of the first ever EU-Pakistan summit to strengthen human rights and rule of law in Pakistan. Absolute respect for human rights must be the 'red thread' running through all the issues to be discussed at this meeting, including counterterrorism; regional security; and intensification of EU-Pakistan relations in all areas including trade.

This summit takes place at a crucial time, against the backdrop of a deepening humanitarian crisis in Pakistan resulting from the conflict between Pakistani security forces and the Pakistani Taliban in the border regions. Humanitarian agencies estimate that more than 2 million people have been displaced when they fled their homes to escape the conflict. The government of Pakistan must ensure that these internally displaced people are treated in accordance with the UN Guiding Principles on Internal Displacement and have adequate food, water, shelter, and healthcare. Just last week three major international aid agencies warned of serious shortfalls in funding to deal with the largest displacement crisis in Pakistan's history. The crisis needs a strong international response to ensure that protection of civilians, both inside and outside the Internally Displaced Persons (IDP) camps, is assured and that returns are voluntary and safe. This summit provides an important opportunity for the EU to engage with the government of Pakistan on how it can best support this.

The European Union should also use the summit to send a strong signal on the importance the international community places on Pakistan fully complying with its obligations under International humanitarian and human rights law in all its military operations. Both the Pakistan government and insurgent groups have violated the rules of armed conflict during operations. Insurgent groups have used people as shields to escape attack, targeted civilians and civilian objects, including schools and used indiscriminate methods, targeting people and places that they regard as being associated with the Pakistan government or otherwise opposed to them. In some instances civilians have also suffered during operations by Pakistan government forces. In many operations government forces have failed to differentiate between militants, civilians and civilian objects, or have used disproportionate force, leaving numerous civilians dead, injured, or displaced.

The EU should reiterate that genuine security can only be based on full observance of human rights and rule of law, and that this must be at the core of any new counter-terrorism strategy. It should also express grave concern that Pakistan's new government has failed to provide information about hundreds of people believed to have been subjected to enforced disappearance and held in secret detention as part of the so-called "war on terror", or in response to internal opposition, for instance in Baluchistan. Despite public commitments from the new government in 2008 to trace the disappeared, there has been little effort to do so and their fate and whereabouts remain unknown.

Amnesty International urges you to take every opportunity to raise these and other human concerns facing Pakistan in your deliberations with President Zardari. In particular, we request the EU Presidency to call on the government of Pakistan to:

- take every precaution to spare civilian lives, in particular to adhere in their operations to the principle of distinction, a rule of international humanitarian law by which they are bound. Pakistani forces must ensure that they do not target civilians or carry out indiscriminate and disproportionate attacks;
- end the practice of enforced disappearances and either charge all those in detention with a recognizably criminal offence, or release them;
- follow through on its June 2008 promise to commute all death sentences – an estimated 7,500 people remain on death row;
- take steps to ensure the independence of the judiciary, including providing security of tenure and freedom from intimidation or other undue interference in the judiciary's functioning; and
- bring Pakistan's intelligence agencies under adequate oversight and provide accountability for state officials who are suspected of being responsible for ordering or carrying out human rights violations.

We welcome further discussion of these issues and would be grateful to be informed of any policy decisions relating to the above concerns.

Yours sincerely



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Cc: Jose Manuel Barroso, President of the European Commission
Javier Solana, High Representative for the Common Foreign and Security Policy
Benita Ferrero-Waldner, Commissioner for External Relations
Riina Kionka, Javier Solana's Personal Representative on Human Rights
Jan de Kok, Head of European Commission delegation to Pakistan
Gilles de Kerchove, EU counterterrorism coordinator
Tim Eestermans, Desk officer for Pakistan, Asia and Oceania Unit, Council Secretariat