

CHRI 2016

# Easier Said Than Done

Pursuing promises at the United Nations Human Rights Council

Pakistan



## COMMONWEALTH HUMAN RIGHTS INITIATIVE

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international non-governmental organisation, mandated to ensure the *practical* realisation of human rights in the countries of the Commonwealth. In 1987, several Commonwealth professional associations founded CHRI. They believed that while the Commonwealth provided member countries a shared set of values and legal principles from which to work and provided a forum within which to promote human rights, there was little focus on the issues of human rights within the Commonwealth.

CHRI's objectives are to promote awareness of and adherence to the Commonwealth Harare Principles, the Universal Declaration of Human Rights and other internationally recognised human rights instruments, as well as domestic instruments supporting human rights in Commonwealth Member States.

Through its reports and periodic investigations, CHRI continually draws attention to progress and setbacks to human rights in Commonwealth countries. In advocating for approaches and measures to prevent human rights abuses, CHRI addresses the Commonwealth Secretariat, Member Governments and civil society associations. Through its public education programmes, policy dialogues, comparative research, advocacy and networking, CHRI's approach throughout is to act as a catalyst around its priority issues.

CHRI is based in New Delhi, India, and has offices in London, UK and Accra, Ghana.

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## INTRODUCTION

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### WHAT IS THE *EASIER SAID THAN DONE* SERIES OF REPORTS?

The Commonwealth Human Rights Initiative (CHRI) has been monitoring the behaviour of Commonwealth countries at the United Nations Human Rights Council (UNHRC) since the Council's inception in 2006. CHRI has used the *Easier Said than Done (ESTD)* series to report on the performance of Commonwealth members of the UN Human Rights Council, in the context of their domestic and international human rights obligations.

The benchmark for countries' behaviour is their own pre-election pledges, made while standing for election to the Council. These pledges frequently include commitments to promote and protect human rights internationally, domestically and, specifically, at the Council. *ESTD* uses voting records, statements, and information on engagement with the UNHRC special procedures and compliance with the UN treaty bodies to document the extent to which Commonwealth members of the Council comply with these pre-election pledges.

The *ESTD* reports are principally published for an audience of diplomats, government officials, civil society organisations and international policymakers. They are designed to be of use in formulating policy and advocating for greater respect for human rights, both domestically and internationally.

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### WHY DO THE *EASIER SAID THAN DONE* REPORTS FOCUS ON COMMONWEALTH COUNTRIES?

The Commonwealth as a block is an under-assessed component of the Council. During any particular year, about a quarter of the UN Human Rights Council is comprised of Commonwealth States. The Commonwealth has a diverse membership, which spans the entire globe. All Commonwealth Members have made a commitment to fundamental principles of human rights on numerous occasions through a variety of organisational documents and communiqués. Most notably, this commitment was demonstrated in 2013 with the signing of the Commonwealth Charter. The Charter makes a specific commitment to the protection and promotion of human rights:

"We are committed to the Universal Declaration of Human Rights and other relevant human rights covenants and international instruments. We are committed to equality and respect for the

protection and promotion of civil, political, economic, social and cultural rights, including the right to development, for all without discrimination on any grounds as the foundations of peaceful, just and stable societies.

We note that these rights are universal, indivisible, interdependent and interrelated and cannot be implemented selectively. We are implacably opposed to all forms of discrimination, whether rooted in gender, race, colour, creed, political belief or other grounds.”

With this foundation, the Commonwealth should be a force to further the mandate of the UN Human Rights Council. However, taken as a whole, the Commonwealth block often fails to live up to these principles. Failure to comply with this fundamental organisational commitment jeopardises the integrity of the Commonwealth and has the potential to negatively impact the work of the UN Human Rights Council.

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## HOW IS THIS REPORT STRUCTURED?

Each report begins with an examination of the Commonwealth’s performance as an intergovernmental body and as a grouping within the Council.

Pages 16 to 18 present data on three important measures of a country’s involvement in the UN human rights system: ratification of the core UN human rights treaties, compliance with treaty reporting obligations, and cooperation with the UN Human Rights Council’s special procedure mandate holders. These metrics are presented for all Commonwealth countries present on the Council during the reporting period.

Pages 19 to 57 detail the country’s performance and voting patterns at all the Council sessions that occurred during the reporting period. It also compares the performance of each State with its pre-election pledges regarding engagement with the Council, special procedures and treaty bodies. This section may also mention a domestic pledge if it is highly specific (e.g. a pledge to pass a particular law or create an institution).

The reports also have two annexes. One lists the links to the countries’ pledges, while the other is a table that sets out Commonwealth voting patterns during the review period.

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## WHAT IS THE REPORTING PERIOD AND WHICH COUNTRIES ARE UNDER CONSIDERATION?

Each report in the 2016 series focuses on one Commonwealth Member of the Council during the 2014, 2015, and January 2016 sessions (Session 25-Session 31). Though usually an annual production, no *ESTD* reports were published in 2015, necessitating a longer reporting period.

The five countries this edition of *ESTD* focuses on are Botswana, India, Namibia, Pakistan, and Sierra Leone. These countries were selected because they share many traits common to Commonwealth countries: they are in Asia and Africa (home to the preponderance of Commonwealth countries), they are developing countries whose foreign and domestic policies are often necessarily shaped by resource and capacity constraints and global inequities, and they are electoral democracies whose constitutional principles are to greater or lesser degrees in tension with on-going issues with inequality, corruption and rule of law. On the other hand, these countries often differ in key ways—including, as will be seen in these reports, in their orientation towards the Council and international human rights generally.

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## WHAT SOURCES OF INFORMATION WERE USED TO COMPILE THESE REPORTS?

These reports use research based exclusively on secondary sources. All the information regarding Council statements, voting activity, engagement with the Special Procedures, treaty ratification and reporting obligation compliance came from the Office of the High Commissioner of Human Rights (OHCHR) and is publicly available on its website (access to statements to the Council requires registering an account with the Council's extranet). Pledge documents, as mentioned above, are linked in the annex, and are quoted at length in the pre-election pledge section (page 19).

# THE COMMONWEALTH AND THE UNITED NATIONS HUMAN RIGHTS COUNCIL

## Q & A ON THE UNITED NATIONS HUMAN RIGHTS COUNCIL

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### WHAT IS THE UNITED NATIONS HUMAN RIGHTS COUNCIL?

The United Nations Human Rights Council (UNHRC or the Council) is an intergovernmental body within the UN system comprising 47 elected Member States. The Council was established in June 2006 to replace the former UN Commission on Human Rights. The Council has the primary responsibility for the promotion and protection of human rights at the UN. The Council holds three regular sessions annually and special sessions as required by human rights situations that require urgent attention. Unlike its predecessor, which was a subsidiary body to the Economic and Social Council, the Human Rights Council is a subsidiary organ of the UN General Assembly. The Council has absorbed mechanisms of the former Commission, such as the Special Procedures and Complaints Procedure, while including new mechanisms: the Universal Periodic Review (UPR) and the Advisory Committee. In another departure from the practices of its predecessor, the Council has a re-formulated regional division of seats that provides for greater representation of Southern States. Its election process is also different; states may release pre-election pledges and then must secure an absolute majority of votes in the General Assembly (held by secret ballot) to be elected.

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### WHY WAS THE COUNCIL ESTABLISHED?

The Council was established to replace the discontinued and largely discredited United Nations Commission on Human Rights (the Commission) that was established in 1946. Despite several contributions and decades of setting international standards on human rights, the Commission was criticised for being an overly political and selective body. Numerous states with poor human rights records were able to sit on the Commission and, once there, work to block meaningful action on serious human rights abuses.

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### HOW ARE COUNTRIES ELECTED TO THE COUNCIL?

The Council's 47 seats are allocated by regional grouping (13 for Asian States, 13 for African States, six for Eastern European States, eight for Latin American and Caribbean States and seven for Western European and Other States) for three-year terms. Every year new countries vie for seats within each regional grouping – the number of seats available depends on the number of countries from each grouping departing the Council. Countries may only run for two consecutive

terms. A country must obtain an absolute majority of votes from the UN General Assembly to be elected to the Council. If no country within a regional grouping receives an absolute majority of votes, then a second round of voting takes place between high-scoring candidates. Recently, however, there has been a trend of regional groupings running closed slates – with the number of countries running matching the number of open seats – to avoid embarrassing countries that lose out to other countries from the same region.

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## WHAT IS A PLEDGE AND WHAT DOES A PLEDGE USUALLY ENTAIL?

A country running for election to the Council can submit pre-election pledges while presenting their candidature. Ideally, the pledge document is intended to be used by voting countries to determine which candidate best fits the criteria for election to the Council, i.e. which country has made the greatest contribution to the promotion and protection of human rights and is willing and capable of playing an effective role at the Council. Pledges usually list a country's past contributions to the promotion and protection of human rights, and future voluntary commitments towards the same. The commitments made in each country's pre-election pledge are also intended to be used as a partial basis for that country's Universal Period Review. For reference, electronic links to these pledges can be found in Annex 1 of this report.

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## IS THE PLEDGE-MAKING PROCESS REGULATED?

The Office of the High Commissioner for Human Rights (OHCHR) has published a document that outlines suggested elements for voluntary pledges and commitments, but these guidelines are not binding; nor are they exhaustive. The suggested elements include national and international human rights contributions, pledges and commitments.<sup>1</sup> Because the pledge-making process is neither regulated nor standardised, there is little consistency between countries, although pledges to support the work of the Council and its subsidiary mechanisms are common, as are pledges to uphold the highest standards of human rights domestically. Unfortunately, pledges also tend to be vague and unquantifiable, making the measurement of achievements and benchmarking especially difficult.

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## ARE COUNTRIES BOUND BY THEIR PRE-ELECTION PLEDGES?

There is currently no accountability mechanism to ensure compliance with pre-election pledges. That being said, the General Assembly does have the ability to suspend Council Members who

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<sup>1</sup> United Nations Office of the High Commissioner for Human Rights, "Suggested Elements for Voluntary Pledges and Commitments for Candidates for Election to the Human Rights Council," n.d., <http://www.ohchr.org/Documents/HRBodies/HRCouncil/Pledges.pdf>.



have seriously and consistently breached their international human rights obligations. Libya was suspended from the Council in March 2011 as a result of a violent crackdown on anti-government protestors; however Libya had not made any specific pledges regarding its domestic human rights situation before its election to the Council. There is therefore no example of a State's membership of the Council being affected as a direct result of violating an election pledge.

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#### WHAT IS THE POSITION OF THE COMMONWEALTH AT THE COUNCIL?

Since the establishment of the Council in 2006, the share of sitting members who are also Commonwealth states has generally been 20-25% in any given year. The Commonwealth, through its Secretariat, has undertaken several initiatives with respect to technical assistance on the UPR. The Commonwealth has also established a "Small States" office in Geneva in order to provide subsidized office space to its smaller Members who do not have a permanent presence in Geneva, thereby facilitating their participation at the Council.

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#### IS THE COUNCIL AN EFFECTIVE MECHANISM TO PROMOTE RESPECT FOR HUMAN RIGHTS AND TO ADDRESS MAJOR ABUSES?

To date, the Council appears to be battling issues similar to the ones that plagued the Commission. During a speech at the celebrations for the sixtieth anniversary of the Universal Declaration of Human Rights in December 2008, UN Secretary-General Ban Ki Moon urged the Council to "rise above partisan posturing and regional divides" and to "address human rights abuses wherever they occur". For the most part, this plea has not been borne out. Many members continue to vote on the basis of regional groupings and/or political alliances. Major human rights abusers still sit on the Council, and the responses to several serious abuses have been undermined by politicization. Though many Commonwealth countries voluntarily pledged to promote and work positively to support the Council before their election, Commonwealth Members tend to be a part of the negative patterns identified above.

Voting on controversial country-specific and thematic resolutions continues to be divided along regional voting lines and/or dictated by political alliances. A number of Commonwealth countries are openly opposed to country-specific scrutiny at the Council and frequently either abstain or vote no when such resolutions come to a vote

Despite these issues, the Council has achieved a degree of success in providing a forum for debate on global human rights issues. It has facilitated significant engagement of civil society in its processes. It has also managed to unite its Members around several key concerns, passing resolutions calling for action or expressing commitment to a range of issues from the protection of human rights defenders to holding perpetrators to account for human rights abuses.

This round of reports, which cover 2014 and 2015 as well as the first session of 2016, continue to demonstrate the discouraging picture highlighted by their predecessors regarding the performance of Commonwealth members as a whole at the Council. The potential for Commonwealth countries to actively contribute to the promotion, protection and realisation of human rights, both at home and at the Council has still not been fulfilled. At the same time, a more mixed picture emerges when the record is examined on a country-by-country basis, with some delegations acting more constructively than others.

These reports demonstrate the following important patterns in the behaviour of Commonwealth countries at the Council:

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### SHARP DIVISIONS ON COUNTRY-SPECIFIC SITUATIONS

It was evident that several Commonwealth countries remained reluctant to take positions on individual country situations. This approach significantly impeded the Council from effectively responding to the most egregious human rights violations.

Of particular concern was the position taken by the Commonwealth bloc when the situation of one of its Members came under the scrutiny of the Council. In March, 2014, Resolution 25/01, “Promoting reconciliation, accountability and human rights in Sri Lanka,” was supported by only three Commonwealth countries; Botswana, Sierra Leone and the United Kingdom. India, Namibia and South Africa abstained from the vote, while Kenya, Maldives and Pakistan voted no. This voting pattern mirrored the Commonwealth’s unwillingness to aggressively speak out on the dire human rights situation in the country, emblemized by the Secretariat’s decision to hold the 2013 CHOGM in Sri Lanka despite widespread outcry and the boycott of several Heads of Government.

Commonwealth members consistently rendered split decisions voting on other countries as well. In Session 31 alone, Commonwealth countries disagreed significantly on resolutions concerning Syria (31/17; 4 yes, 6 abstentions), Iran (31/19; 2 yes, 4 no, 4 abstentions), and Palestine (31/34; 8 yes, 2 abstentions). In addition to further splits on other votes concerning these three countries of perennial concern, in the prior year (2015) Commonwealth members also failed to find consensus on Belarus (29/17; 4 yes, 1 no, 7 abstentions), Ukraine (29/23; 6 yes, 6 abstentions), and North Korea (28/22; 5 yes, 7 abstentions).

In oral statements, several Commonwealth countries also called for the Council to diminish or end its focus on individual countries and raised concerns about the use of the forum for “particular agendas,” which could be construed as an attempt to block scrutiny of politically sensitive human

rights situations.

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#### LACK OF CONSENSUS ON FUNDAMENTAL HUMAN RIGHTS AND CIVIL LIBERTIES

Among the more disturbing patterns in the behaviour of Commonwealth countries was a failure to achieve unanimity on the most basic human rights and civil liberties issues. Resolution 25/38, “The promotion and protection of human rights in the context of peaceful protests,” garnered no votes from Kenya, India, South Africa and Pakistan, as well as an abstention from Namibia. Two countries (Nigeria and South Africa) abstained from voting on Resolution 28/14, “Human rights, democracy and the rule of law.” Resolution 31/32, “Protecting human rights defenders, whether individuals, groups or organs of society, addressing economic, social and cultural rights,” earned a no vote from Nigeria and abstentions from Kenya and Namibia.

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#### CONTINUING CONTROVERSY OVER THE DEATH PENALTY AND LGBT RIGHTS

Two major policy divisions in the Commonwealth that were visible at the Council were over the death penalty and LGBT rights. During the period covered in these reports, two votes were held on the “The question of the death penalty,” (26/02 and 30/05) and each produced split results (4 yes, 3 no, 2 abstentions on the former; 4 yes, 5 no, 3 abstentions on the latter).

In terms of LGBT rights, Resolution 27/32, “Human rights, sexual orientation and gender identity,” divided Commonwealth members (2 yes, 4 no, 3 abstentions). Two “Protection of the Family” resolutions, which could be construed as exclusionary to LGBT persons, earned significant support (26/11; 8 yes, 1 no) (29/22; 10 yes, 2 no).

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#### EMPHASIS ON THE NEEDS OF DEVELOPING COUNTRIES AND THE RIGHT TO DEVELOPMENT

Many Commonwealth countries were active in advocating for a greater focus on the right to development and the interrelation between civil, political, social, economic and cultural rights. While the attention to development appears at times to be an attempt to distract from the more politically sensitive political and civil rights issues, it also adds an important, holistic human rights perspective from the developing world. Commonwealth countries also repeatedly raised points about the need for greater financial contributions to the Council and continued support for its technical assistance efforts.

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## PARTICIPATION

Commonwealth countries have room to improve when it comes to participation in Council activities. Universal Rights Group recorded the following level of participation, defined as the proportion of meetings to which a country submitted an individual or joint statement, for the five countries covered in this report series during Sessions 23-31 (June 2013-March 2016)<sup>2</sup>:

<b>Country</b>	<b>Panels</b>	<b>Interactive Dialogues</b>	<b>General Debates</b>	<b>Average</b>
Botswana	7%	37%	26%	23%
India	42%	24%	44%	37%
Namibia	41%	15%	16%	24%
Pakistan	36%	14%	26%	25%
Sierra Leone	56%	40%	32%	43%

It is difficult to set a benchmark for what constitutes a “good” level of participation, given the wide variance in resources among the Council members. However, it is worth noting that of these five countries it was Sierra Leone, by far the poorest in terms of GDP/capita, that sustained the highest level of participation. The Council would benefit if members sought to participate more in its proceedings, even given current constraints of time, personnel and finances.

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## A LACK OF COMMITMENT TO PROMOTING COMMONWEALTH VALUES AT THE COUNCIL

The Commonwealth Charter, signed in 2013, sets out the values of the association, committing its members to the principles of peace, democracy, justice, development, equality, human rights and inclusivity. Unfortunately, the record suggests their actions are sometimes dictated more by political expediency and indifference to or unwillingness to deal with human rights abuses than a thorough commitment to these values. It exemplifies the need for the Secretariat to work proactively to ensure adherence to the Charter, rather than acquiesce to members’ lack of regard for the Commonwealth’s fundamental ideals.

## THE ROLE OF THE OFFICIAL COMMONWEALTH AT THE UN HUMAN RIGHTS COUNCIL

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## ENGAGEMENT

The Commonwealth mandate to engage with the Council was initiated at the 2007

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<sup>2</sup> Entries for each country can be found at <http://yourhrc.org/interactive-map/>.

Commonwealth Heads of Government Meeting (CHOGM). As a result of lobbying by the Commonwealth Human Rights Forum, a meeting of civil society groups, the Heads of Government decided that the Commonwealth Secretariat could, through the Council, play a facilitating role in strengthening dialogue on, and raising awareness of, human rights in Commonwealth countries. Since the Human Rights Council began operating in 2006, CHRI has urged the Commonwealth and its members to actively support the Council in the fulfilment of its mandate. The earlier reports in the *Easier Said Than Done* series have noted that the Council should be considered one of the most important global fora for the Commonwealth, and to this end identified two important avenues through which the Commonwealth could make a serious impact at the Council:

1. By providing technical assistance to Commonwealth countries that wish to engage with the Council and its mechanisms.
2. By building consensus among like-minded countries during deliberations at the Council.

To date, Commonwealth engagement with the Council has largely focused on the first avenue, with a predominant emphasis on providing technical assistance to Commonwealth countries as they engage with the Universal Periodic Review mechanism. Since early 2008, the Human Rights Unit of the Commonwealth Secretariat has run several UPR capacity-building training sessions across the Commonwealth for governments, parliamentarians, national human rights institutions and civil society. These meetings have primarily been a forum to share best practices and experiences. Best practices taken from a selection of these meetings were compiled into two volumes by the Human Rights Unit: *Universal Periodic Review of Human Rights: Towards Best Practice*, which shared early experiences with the UPR; and *Universal Periodic Review: Lessons, Hopes and Expectations*, which provided an update half-way through the first cycle.

Work to further contribute to the UPR continued during the second cycle of reviews. Notably, the Mahé Declaration of 2014, the Pipitea Declaration of 2015 and the Kotte Declaration of 2016 expressed the commitment of Commonwealth parliamentarians in Africa, the Pacific, and Asia, respectively, to increase engagement with the UPR and other international human rights mechanisms.<sup>3</sup> The most recent capacity-building workshop to this end was held in January 2016 in Sri Lanka for Commonwealth parliamentarians in Asia.<sup>4</sup>

The level of commitment by the Heads of Government to Commonwealth engagement with the international human rights mechanisms and the Council, particularly the UPR, has fluctuated somewhat. The Heads at the 2009 CHOGM in Trinidad and Tobago reaffirmed support for the

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<sup>3</sup> Commonwealth Secretariat, "Commonwealth Asia MPs Join Forces on Human Rights," February 4, 2016, <http://thecommonwealth.org/media/news/commonwealth-asia-mps-join-forces-human-rights>.

<sup>4</sup> Commonwealth Secretariat, "Sri Lanka Hosts Commonwealth Regional Human Rights Seminar for Parliamentarians," January 29, 2016, <http://thecommonwealth.org/media/press-release/sri-lanka-hosts-commonwealth-regional-human-rights-seminar-parliamentarians#sthash.dG7OqD6a.dpuf>.

capacity-building work of the Human Rights Unit.<sup>5</sup> However, at the 2011 CHOGM in Australia, the Heads merely noted that Commonwealth Members should share best practices and lessons learned from the Universal Periodic Review Process, without establishing a way forward for the Commonwealth to deliver further technical assistance.<sup>6</sup> The trend of diminishing focus in the CHOGM communiqué continued in 2013, where no reference to the Council or the UPR was made. The UN human rights mechanisms only received a sweeping mention wherein Members were encouraged to accelerate efforts towards the ratification of all major international human rights instruments to strengthen the implementation of rights and freedoms as enshrined in the Universal Declaration of Human Rights.<sup>7</sup> The 2015 CHOGM communiqué briefly noted the UPR as one source of best practices. It also ventured only mildly towards encouraging involvement in other international instruments, inviting States who “wished to do so” to ratify the Arms Trade Treaty and the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.<sup>8</sup>

The Commonwealth Secretary-General traditionally makes a speech during the opening of the Council, which can serve as a window onto the Secretariat’s approach to engagement with that body. The Secretary-General in office from 2008 to early 2016, Kamallesh Sharma, delivered speeches that—while they at times defended fundamental human rights and liberties—differed markedly from those of his predecessor in their view of the proper role of the Council. Whereas Secretary-General Don McKinnon noted in his 2007 address that if the Council “shields just one jurisdiction which displays a blatant abuse of human rights, it will discredit itself forever”<sup>9</sup>, Secretary-General Sharma’s speeches seem to suggest that naming and shaming rights-abusive regimes should be avoided. In 2010, for example, he said that there was “greater value in raising a helping hand, than in raising a wagging finger”<sup>10</sup>; in 2012, he stated that the “Commonwealth approach is not to chide or rebuke, but to agree to shared goals”<sup>11</sup>. In 2015, in a welcome move,

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<sup>5</sup> Commonwealth Heads of Government, “Commonwealth Heads of Government Meeting Communiqué, Trinidad and Tobago 2009,” November 29, 2009, <http://thecommonwealth.org/sites/default/files/news-items/documents/TrinidadandTobagoCHOGMCommunique2009.pdf>.

<sup>6</sup> Commonwealth Heads of Government, “Commonwealth Heads of Government Meeting Communiqué, Australia 2011,” October 30, 2011, <http://thecommonwealth.org/media/news/commonwealth-leaders-release-chogm-2011-communiqu%C3%A9>.

<sup>7</sup> Commonwealth Heads of Government, “Commonwealth Heads of Government Meeting Communiqué, Sri Lanka 2013,” November 17, 2013, [http://thecommonwealth.org/sites/default/files/events/documents/CHOGM%202013%20Communique\\_0.pdf](http://thecommonwealth.org/sites/default/files/events/documents/CHOGM%202013%20Communique_0.pdf).

<sup>8</sup> Commonwealth Heads of Government, “Commonwealth Heads of Government Meeting Communiqué, Malta 2015,” November 29, 2015, <http://thecommonwealth.org/sites/default/files/news-items/documents/CHOGM%202015%20Communique.pdf>.

<sup>9</sup> Don McKinnon, “Statement by the Commonwealth Secretary-General Rt Hon Don McKinnon to the High Level Segment of the UN Human Rights Council,” March 14, 2007, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session4/HLS/Commonwealth.pdf>.

<sup>10</sup> COMSEC/PACNEWS, “Commonwealth Secretary-General Addresses UN Human Rights Council,” February 3, 2010, <http://www.pina.com.fj/print.php?print=news&o=15361361914b8c7dcf54906a3a8e6a>.

<sup>11</sup> Kamallesh Sharma, “Commonwealth Secretary-General Speech to UN Human Rights Council – High Level Segment,” February 29, 2012, <http://thecommonwealth.org/media/news/commonwealth-secretary-general-speech-un-human-rights-council-%E2%80%93-high-level-segment>.

his speech noted the Secretariat's concern over the safety of human rights defenders and threats to freedom of association and assembly.<sup>12</sup> His farewell speech to the Council, in 2016, focused heavily on networking and capacity-building efforts by the Commonwealth, but largely avoided sensitive civil and political rights issues and omitted mention of specific countries.<sup>13</sup> These statements largely mirrored the non-confrontational approach taken by the Secretariat in responding to human rights violations within member states. A notable exception to this pattern was in the Secretary-General's frequent call to end discrimination on the basis of gender identity or sexual orientation, a laudable action given that the majority of Commonwealth countries continue to criminalise homosexuality.

Beyond these speeches, the institutional contacts between the Commonwealth and the Human Rights Council are relatively shallow—which should be a cause for concern. The Commonwealth considers itself a values-based organisation, defined by the principles of democracy, human rights, peace, tolerance and respect for the rule of law. If Commonwealth countries do not uphold these values, domestically or during their international engagements, the Commonwealth should be aware of this and take appropriate action. It is therefore essential that the Commonwealth monitor action at the Council and work towards increasing the positive impact made by Commonwealth States at the Council. A significant initial move in that direction was completed in January 2011, when the Commonwealth opened an office in Geneva that offers space and a business centre at subsidised rates for Commonwealth missions and visiting delegations that participate in international deliberations, including at the Council.

In 2013, the Commonwealth took the step of contributing to a specific thematic panel discussion held at the Council on the role of parliamentarians in the work of the Council. Moreover, the staff of the Commonwealth contributed to specific thematic reports prepared by the Office of the High Commissioner for Human Rights (OHCHR). The reports, to which the Commonwealth contributed, included the policing of peaceful protests; strengthening judicial systems and the administration of justice; the right to development; and the protection of journalists. The Secretary-General in his 2016 statement underlined the association's on-going objective of assisting Commonwealth States participation in the UPR process and furthering the goals of the Council; however, the only specific pledge made in terms of direct participation at the Council was for Commonwealth involvement in a forthcoming panel on the contribution of parliaments to the work of the Council during the 32<sup>nd</sup> Session.<sup>14</sup>

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<sup>12</sup> Kamalesh Sharma, "Secretary-General Addresses UN Human Rights Council," March 3, 2015, <http://thecommonwealth.org/media/news/secretary-general-un-human-rights-council>.

<sup>13</sup> Kamalesh Sharma, "Secretary-General to Address High-Level Segment of UN Human Rights Council," March 2, 2016, <http://thecommonwealth.org/media/news/secretary-general-address-high-level-segment-un-human-rights-council#sthash.5uO1TB4d.dpuf>.

<sup>14</sup> Kamalesh Sharma, "Secretary-General to Address High-Level Segment of UN Human Rights Council," March 2, 2016, <http://thecommonwealth.org/media/news/secretary-general-address-high-level-segment-un-human-rights-council#sthash.5uO1TB4d.dpuf>.

There have been no visible moves by the Commonwealth, or any of its members, to work towards building a consensus among Commonwealth countries at the Council on interventions designed to advance human rights objectives. It is, of course, questionable whether a “Commonwealth consensus” at the Council could be achieved, given the wide variance in the human rights situations and political commitments of its members. Yet given the pro-human rights values at the heart of the Commonwealth, and the significant share of seats on the Council held by Commonwealth countries, working towards greater coordination would have significant potential benefits. An active Commonwealth group at the Council could both promote the Commonwealth’s principles and help give it a higher international profile.



## THE COMMONWEALTH MEMBERS OF THE HUMAN RIGHTS COUNCIL AND THE UNITED NATIONS HUMAN RIGHTS MECHANISMS

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### DO COMMONWEALTH MEMBERS OF THE HRC COMPLY WITH MAJOR UN HUMAN RIGHTS INSTRUMENTS?

The tables below are designed to illustrate the extent to which the Commonwealth Members who sat on the Human Rights Council during the reporting period comply with core UN human rights instruments, mechanisms and processes. The tables focus on the ratification status of international human rights treaties (Table I); compliance with respect to reporting obligations under the UN human rights treaties (Table II); and engagement with the special procedures (Table III). Adherence to such instruments and mechanisms varies, demonstrating that the international framework established for the promotion and protection of human rights is not uniformly implemented across the Commonwealth Members of the Human Rights Council.

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### LIST OF CORE UN HUMAN RIGHTS TREATIES

The core UN human rights treaties and their optional protocols that this section covers are:

- CERD - International Convention on the Elimination of All Forms of Racial Discrimination
- CCPR - International Covenant on Civil and Political Rights
- CCPR-OP1 - Optional Protocol to the International Covenant on Civil and Political Rights
- CCPR-OP2-DP - Second Optional Protocol to the International Covenant on Civil and Political Rights aiming to the abolition of the death penalty.
- CESCR - International Covenant on Economic, Social and Cultural Rights
- CESCR-OP - Optional protocol to the International Covenant on Economic, Social and Cultural Rights
- CEDAW - Convention on the Elimination of All Forms of Discrimination against Women
- CEDAW-OP - Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
- CAT - Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
- CAT-OP - Optional Protocol of the Convention against Torture
- CRC - Convention on the Rights of the Child
- CRC-OP-AC - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

- CRC-OP-SC - Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography
- CRC-OP-CP- Optional Protocol to the Convention on the Rights of the Child on a communications procedure
- CMW - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- CED - Convention for the Protection of All Persons from Enforced Disappearance
- CRPD - Convention on the Rights of Persons with Disabilities
- CRPD-OP - Optional protocol to the Convention on the Rights of Persons with Disabilities

TABLE 1: ADHERENCE OF COMMONWEALTH COUNTRIES TO THE UN HUMAN RIGHTS TREATIES (RATIFICATION STATUS)

	Bangladesh	Botswana	Ghana	India	Kenya	Maldives	Namibia	Nigeria	Pakistan	Sierra Leone	South Africa	United Kingdom
GERD	P	P	P	P	P	P	P	P	P	P	P	P
CCPR	P	P	P	P	P	P	P	P	P	P	P	P
CCPR-OP1	-	-	P	-	-	P	P	-	-	P	P	-
CCPR-OP2	-	-	-	-	-	-	P	-	-	-	P	P
CESCR	P	-	P	P	P	P	P	P	P	P	P	P
CESCR-OP	-	-	S	-	-	S	-	-	-	-	-	-
CEDAW	P	P	P	P	P	P	P	P	P	P	P	P
CEDAW-OP	P	P	P	-	-	P	P	P	-	S	P	P
CAT	P	P	P	S	P	P	P	P	P	P	P	P
CAT-OP	-	-	S	-	-	P	-	P	-	S	S	P
CRC	P	P	P	P	P	P	P	P	P	P	P	P
CRC-AC	P	P	P	P	P	P	P	P	S	P	P	P
CRC-SC	P	P	S	P	S	P	P	P	P	P	P	P
CRC-CP	-	-	S	-	-	S	-	-	-	-	-	-
CMW	P	-	P	-	-	-	-	P	-	S	-	-
CED	-	-	S	S	S	S	-	P	-	S	-	-
CRPD	P	-	P	P	P	P	P	P	P	P	P	P
CRPD-OP	P	-	P	-	-	-	P	P	-	-	P	P

KEY

P	State Party
S	Signatory
-	No action

TABLE 2: COMPLIANCE OF COMMONWEALTH COUNTRIES WITH REPORTING OBLIGATIONS UNDER THE UN HUMAN RIGHTS TREATIES

	Bangladesh	Botswana	Ghana	India	Kenya	Maldives	Namibia	Nigeria	Pakistan	Sierra Leone	South Africa	United Kingdom
CERD	OD (2002)	OD (2009)	OD (2006)	OD (2010)	UTD	UTD	UTD	OD (2008)	UTD	OD (2006)	UTD	UTD
CCPR	UTD	OD (2012)	UTD	OD (2001)	OD (2015)	OD (2015)	UTD	OD (1999)	UTD	UTD	UTD	UTD
CESCR	OD (2000)	-	OD (2003)	OD (2011)	UTD	OD (2008)	UTD	OD (2000)	UTD	OD (1998)	-	UTD
CEDAW	UTD	OD (2014)	UTD	UTD	UTD	UTD	UTD	UTD	UTD	UTD	OD (2015)	UTD
CAT	OD (1999)	OD (2001)	OD (2015)	-	UTD	OD (2005)	UTD	OD (2002)	UTD	UTD	OD (2009)	UTD
CRC	UTD	OD (2007)	UTD	UTD	UTD	UTD	UTD	UTD	UTD	UTD	UTD	UTD
CRC-AC	UTD	OD (2006)	-	UTD	OD (2004)	UTD	OD (2004)	OD (2014)	-	UTD	OD (2011)	UTD
CRC-SC	UTD	OD (2005)	-	UTD	-	UTD	OD (2004)	OD (2012)	OD (2013)	UTD	UTD	UTD
CMW	UTD	-	UTD	-	-	-	-	UTD	-	-	-	-
CED	-	-	-	-	-	-	-	OD (2013)	-	-	-	-
CRPD	OD (2010)	-	OD (2014)	UTD	UTD	OD (2012)	OD (2010)	OD (2012)	OD (2013)	OD (2012)	UTD	UTD

KEY      UTD      Up to date  
             OD (2002)      Overdue (report due date)  
             -      N/A

TABLE 3: SPECIAL PROCEDURES: STANDING INVITATIONS, VISITS AND PENDING REQUESTS

	Bangladesh	Botswana	Ghana	India	Kenya	Maldives	Namibia	Nigeria	Pakistan	Sierra Leone	South Africa	United Kingdom
Standing invitation?	NO	NO	YES	YES	YES	YES	NO	YES	NO	YES	YES	YES
Visits, 2014-mid-2015	Freedom of Religion	Cultural rights, Water and sanitation	Torture	NONE	Internally displaced persons, Water and sanitation	NONE	NONE	Minority issues	NONE	NONE	Violence against women	Violence against women, Ethnic
Pending requests	Minority issues	Racism	Migrants	Torture	Human rights defenders	Human rights defenders	Transitional justice	Freedom of assembly and association	Human rights defenders	Internally displaced persons	Extrajudicial executions	NONE
	Extrajudicial executions		Education	Racism	Promotion of truth, justice, reparation and guarantees of non-recurrence		Human rights defenders	Counter terrorism	Extrajudicial executions	Arbitrary detention	Racism	
	Independence of judges and lawyers		Housing	Enforced disappearances	Extreme poverty			Water and sanitation	Racism	Freedom of expression	Environment	
	Contemporary forms of slavery			Indigenous people	Minority issues			Violence against women	Freedom of religion		Water and sanitation	
	Racism			Water and sanitation	Torture				Counter terrorism		Hazardous substances and waste	
	Internally displaced persons			Extrajudicial executions	Enforced disappearances				Housing		Extreme poverty	
	International solidarity			Independence of judges and lawyers	Hazardous substances and waste				Torture			
	Migrants			Freedom of assembly and association					Human rights defenders			
	Freedom of assembly and association			Freedom of assembly and association					Internally displaced persons			
	Freedom of expression			Sale of children					Freedom of assembly and association			
	Hazardous substances and waste			People of African descent					Minority issues			
				Hazardous substances and waste					Discrimination against women			
				Extreme poverty					Contemporary forms of slavery			
				Contemporary forms of slavery					Cultural rights			
				Cultural rights								

# PAKISTAN AT THE HUMAN RIGHTS COUNCIL

## BACKGROUND

### ELECTION TO THE UN HUMAN RIGHTS COUNCIL

Pakistan was one of five Asia-Pacific states that contested the November 2012 elections for the five seats vacant among the 13 seats reserved for the Asia-Pacific. It was elected to the 2013-2015 term.

### PRE-ELECTION PLEDGES

Pakistan undertook to:

- “Enhance human rights education and training in order to further promote respect for and observance of human rights in society.
- Continue efforts to strengthen the implementation of the human rights treaties already ratified.
- Continue to regularly evaluate national capacities in order to undertake new international obligations in the human rights domain.
- Continue to work together with civil society organizations in the promotion and protection of human rights.
- Continue playing an active role in the fulfilment of the objectives and principles set forth by the international community at the establishment of the Human Rights Council in 2006, and ensuring that the Council is empowered to make full use of its potential in line with those objectives and principles.
- Continue contributing actively to the normative and operational work of the Council.
- Continue to play an active role in the Council in order to build a body that should foster dialogue, cooperation, capacity-building and technical assistance for the promotion of human rights, with due regard to the historic, cultural and religious values of Member States and their specific socioeconomic conditions.
- Continue promoting the potential of the universal periodic review as an effective mechanism of the Council for examining the human rights situations around the globe with objectivity and without selectivity.
- Continue to remain constructively engaged with the special procedures of the Council.
- Continue to promote dialogue and cooperation in addressing the “situations of concern” in the Council.
- Continue endeavours to strengthen the Office of the United Nations High Commissioner for Human Rights as a truly independent body.

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## COMPLIANCE WITH PRE-ELECTION PLEDGES

In its pledge document, Pakistan promised to be an active member of the Council, to help the Council promote dialogue, cooperation, capacity building and technical assistance while respecting the social, cultural and economic situations of member states, to promote the Universal Periodic Review as an objective and non-selective mechanism, to remain constructively engaged with the Special Procedures and to continue work strengthening the independence of the OHCHR.

Pakistan was not the most active member of the Council. Among the focus countries of this series, Namibia had the third-lowest average participation level of participation as measured by the Universal Rights Group during Sessions 23-31. It had a particularly low activity level during Interactive Dialogues, but was somewhat more participatory in general debates and panels.

Pakistan was unwilling to register assent when it came to country-specific resolutions, with the exception of votes related to Israel and Palestine and one resolution on assistance to Ukraine during Session 29. Pakistan voted no on resolutions concerning Sri Lanka, Iran, North Korea (Session 25) and Iran, and abstained from resolutions on Syria, Belarus, North Korea (Session 28) and Ukraine (Session 26). It also failed to support fundamental human rights, voting no on a resolution concerning human rights and peaceful protests.

In its statements, Pakistan spoke more frequently on behalf of the Organisation of Islamic States than on its own behalf. It repeatedly emphasized the need to balance the Council's focus on all rights, including the right to development, and to avoid the politicization of the Council. It cast the Council's role as primarily a facilitator of technical assistance and cooperation and reminded the body of the primacy of States in addressing human rights issues. It also frequently made statements about the importance of not associating terrorism with any religion and of preventing religion-based violence and discrimination; relatedly, it supported criminalizing religious insult and defamation. It also expressed concern about xenophobia in Europe and the mistreatment of refugees.

Pakistan voted against multiple anti-death penalty resolutions. It made statements defending its decision to revive the practice after a moratorium as necessary as a deterrent and a tool in fighting terrorism, and said the death penalty both complied with international law and was a sovereign criminal justice issue. It also voted against a resolution concerning the rights of LGBT persons and for two resolutions on the "protection of the family" that were not LGBT-inclusive. It made several statements calling for "controversial issues" which were "not universally agreed upon," including LGBT rights, to be dropped from the Council's agenda.

Pakistan did make statements on the UPRs of several countries; with the exception of Israel, these comments were largely laudatory. The country frequently noted during UPR sessions the resource challenges faced by developing countries in improving their human rights records.

Pakistan noted its commitment to ratifying and implementing the core human rights treaties in its pledge document. It has one of the best reporting records among Commonwealth countries that sat on the Council during the reporting period; it is overdue only on reports for the Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography and the Convention on the Rights of Persons with Disabilities. It also promised to cooperate with the Special Procedures, but has not issued a standing invitation to mandate holders and has fourteen pending visit requests.

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## RATIFICATION

Pakistan is a party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Rights of the Child (CRC) and the Optional Protocol to the CRC on the sale of children, child prostitution and child pornography. It has signed but not ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

Pakistan is not a party to the Optional Protocol to CAT, the two Optional Protocols to ICCPR, the Optional Protocol to ICESCR, the Optional Protocol to CEDAW, the Convention for the Protection of All Persons from Enforced Disappearance (CED), or the Convention on the Protection of the Rights of All Migrants Workers (CMW).

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## REPORTING OBLIGATIONS

Pakistan has completed some of its reporting requirements under international instruments.

Pakistan is up to date with reporting requirements under CERD, ICCPR, CAT, CEDAW, and CESC, with many of these reports having been submitted after delays of two to four years. The first round reports due under the CRC-OP-SC and the CPRD were overdue as of 2013.

Pakistan has not extended an open invitation to the Special Procedures of the UN Human Rights Council.

## VOTING PATTERNS AND PERFORMANCE AT THE COUNCIL

### 25<sup>TH</sup> REGULAR SESSION (3<sup>RD</sup> MARCH – 28<sup>TH</sup> MARCH 2014)

On 4 March 2014 during a **High-level panel on human rights mainstreaming and promotion and protection of the human rights of migrants** Pakistan, in a statement made on behalf of the Organization of Islamic Cooperation (OIC) members, noted the issue of protecting the rights of migrants had gained attention in recent years due to illegal practices against migrant workers and their families around the world. Pakistan condemned racism and racial discrimination against migrants. Pakistan also noted that it considered the influx of migrant reflected economic disparity in different parts of the world and that it could be addressed by addressing the root causes of migration, international cooperation and effective realization of human rights.

On 6 March 2014, after the **Presentation of the Annual Report and Interactive Dialogue with the High Commissioner for Human Rights**, Pakistan on behalf of the OIC urged greater interaction with Member States on the High Commissioner's six thematic priorities, stating that the right to development should get equal and legitimate treatment. Pakistan expressed disappointment that the High Commissioner's statement did not include any reference to the human rights violations occurring in the Occupied State of Palestine. OIC expressed strong reservations over the use of controversial notions in the Council which are not universally agreed upon, such as Lesbian, Gay, Bi-sexual and Transgender (LGBT) rights. OIC expressed concern regarding violence against Muslims in Myanmar and the Central African Republic. OIC shared the High Commissioner's concerns over armed drone strikes, particularly regarding the transparency and redress for victims.

On 7 March 2014, after the annual Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General, during the **Interactive Dialogue with the High Commissioner for Human Rights**, Pakistan reiterated that it was a strong proponent of effective UN human rights machinery, noting that universally agreed principles of non-discrimination, impartiality, respect for diversity and genuine dialogue assist in the tangible progress of human rights. Pakistan also reiterated the obligation of the international community to contribute to capacity building and to invest in technical assistance of concerned states to address human rights issues. Pakistan welcomed the comments by the High Commissioner on the impact of armed drone strikes on civilian victims.

On 10 March 2014, during the **Interactive Dialogue with the Special Rapporteur (SR) on torture and other cruel, inhuman or degrading treatment or punishment and with SR on the situation of human rights defenders**, Pakistan on behalf of the OIC thanked both SR for their reports. Concerning the statement by the SR on the situation of human rights defenders regarding a lack of resources being one of the challenges to following up country visits, Pakistan stated that this was precisely why budgetary resources should not be committed to new and innovative measures as the expense of important existing mandates. Pakistan agreed that it was primarily the States'

responsibility to protect human rights defenders, noting that States through duly elected representatives possess the sovereign right to enact legislative provisions to enhance domestic security, protect collective social interest and curb incitement. Pakistan reiterated that while human rights defenders have the same rights as any citizen they also have obligations, reminding civil society activists to abide by the laws of the land. Pakistan supported the recommendation of the SR pertaining to the need to have strong and effective National Human Rights Institutions (NHRIs).

On 10 March 2014, during **Interactive Dialogue with the SR on the right to food and the SR on adequate housing**, Pakistan (on behalf of the OIC) stated that in regards to the right to food the requirements of accessibility and sustainability need to be prioritized depending on local and international circumstances. Pakistan said that while sustainable production and consumption are vital the right to development is also important in ensuring the right to food. Regarding the report by the SR on adequate housing, Pakistan agreed that security of tenure is necessary for the enjoyment of political economic and cultural rights.

Also on 10 March 2014, during the **Interactive Dialogue with the Independent Expert on human rights and environment**. Pakistan (on behalf of the OIC) urged the international community to agree on guidelines for overcoming the challenges posed by climate change and environmental degradation. With regards to the **Independent Expert on Foreign Debt**, Pakistan (on behalf of the OIC) expressed concern that the IE was not given adequate resources by the OHCHR to submit a detailed report as it believed the issue of foreign debt impedes the enjoyment of economic, social and cultural rights. OIC group also expressed concern over the large amount of funding from illicit origins leaving developing countries for the developed world.

On 11 March 2014, during a **panel discussion on the importance of the promotion and protection of civil society space**, Pakistan (on behalf of the OIC) acknowledged the crucial role civil society plays in promoting and protecting human rights but reiterated the importance of civil society organizations of working within the parameters of national laws and regulations. Pakistan also noted the maintain transparency and national regulation of funding for civil society organization was the responsibility of states.

On 12 March 2014, during the **Interactive Dialogue with the SR on cultural rights and the SR on sale of children**, Pakistan (on behalf of the OIC) urged the international community to recognize violence against children as a priority, stating that restorative justice mechanisms should be in place to best protect the interests of children. It welcomed the initiative of the SR in engaging with non-state actors to end grave violations against children in countries such as Congo, Syria and Yemen.

On 13 March 2014, during the **Annual full-day meeting on the rights of the child: International norms and standards on access to justice for children and child-sensitive justice**, Pakistan stated that the introduction of child sensitive procedures can play a pivotal role in providing children access to justice. Pakistan reiterated its commitment to ensuring safe future for children, highlighting the establishment of the Ombudsman and Children's complaints offices at provincial and federal levels. Pakistan also stated that the National Plan of Action for Children and National



Commission for Children Welfare and Development provide concrete measures for the protection of children.

On 14 March 2014, during the **general debate**, Pakistan (on behalf of the OIC) registered its concern that the OHCHR report titled '**Combating intolerance, negative stereotyping, and stigmatization of, and discrimination, incitement to violence and violence against person based on religion or belief**' was late in being made available of on the Human Rights Council (HRC) extranet. It also raised concern at the later circulation of the HRC resolution 22/31.

Also on 14 March 2014, during the **general debate**, Pakistan stated that the right to self-determination was an integral element of basic human rights and fundamental freedoms, highlighting that the rights to self-determination of the people of Jammu and Kashmir was a long outstanding item of the UN Security Council. Pakistan called the elections in Jammu and Kashmir a 'sham' and expressed concern over the 'illegal detention' and restriction on freedom of movement placed on Kashmiri leadership. Pakistan reiterated it was committed to resolving the Kashmir dispute through dialogue and diplomatic support to the people of Kashmir.

On 17 March 2014, during the **Interactive Dialogue with the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran**, Pakistan welcomed steps taken by the Government of Iran in promoting and protecting human rights. Pakistan stated it was against country specific mandates as they go against the spirit of cooperation and dialogue. It commended Iran's participation in the UPR process in 2010, adding that this would be repeated in Iran's second UPR in 2014.

On 19 March 2014, after a **Presentation of the report of the Forum on Minority Issues**, Pakistan welcomed the report of the Independent Expert on Minority Issue. Pakistan opposed the recommendation by the report that states draft domestic anti-discrimination legislation that outlaws hate speech, stating that first the international community should evolve normative standards which provide a foundation for anti-discrimination law at a national level. Further, Pakistan stated that without international legal framework domestic anti-discrimination legalization risks lacking impartiality and focus. Pakistan also called upon the international community to implement the Action Plan in Resolution 16/18 "Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against persons based on religious belief".

Also on 19 March 2014, during the **Annual interactive debate on the rights of persons with disabilities**, Pakistan welcomed the study by the OHCHR on the Right of Persons with Disabilities to Education and reiterated its belief in the importance of inclusive education. Pakistan stated that the National Policy for Persons with Disabilities, formulated in 2002, has been signified the shift in the country to recognizing inclusion as a key element and that effort to provide free education to all children regardless of their disabilities was being intensified.

Further on 19 March 2014, on the **consideration of Saudi Arabia**, Pakistan expressed appreciation that Saudi Arabia had accepted a majority of the recommendations made during the UPR working group session and stated that they value Saudi Arabia's constructive engagement with human rights machinery.

On 24 March 2014, during **general debate on the human rights situation in Palestine and other occupied Arab territories**, Pakistan (on behalf of the IOC) welcomed the reports by the Secretary General and the OHCHR. OIC expressed incomprehension at the EU's decision to speak under items 2 and 4 on the issue of the Occupied Territories, stating that this will only encourage Israel's violation of international law. It stated that they believed Israel was singular in that it was the only country that got away with and was rewarded for violating international human rights with complete impunity. Pakistan reiterated that the continuous settlement activities in the occupied state of Palestine are contrary to international law, as supported by the ICJ. It condemned incitement of violence and characterized the Israeli parliament's assertion of sovereignty over Al Haram Al Sharif as direct provocation of the Muslim world.

Also on 24 March 2014, during general debate on the **follow-up to and implementation of the Vienna Declaration and Programme of Action** Pakistan (on behalf of the OIC) expressed concern that discrimination, conflicts and exploitation continue unabated, while condemning the international community's selective approach as exacerbating the suffering of millions of human beings. It stated that while the support and cooperation received by the UN human right machinery operates as a ray of hope the allocation of resources and selective focus on certain human rights issues is a serious concern, stating that the fundamental right to development was being denied to millions. It reiterated that combating racial discrimination and religious intolerance in their contemporary forms was essential for lasting world peace.

On 25 March 2014, during **Racism, racial discrimination, xenophobia and related forms of intolerance: follow-up and implementation of the Durban Declaration and Programme of Action**, Pakistan (on behalf of the OIC) expressed regret that new and emerging forms of racism and xenophobia were threatening international peace and security, adding that discrimination on the basis of one's religion was the contemporary form of racism. Pakistan once again called upon the international community to implement the Action Plan in Resolution 16/18 "Combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against persons based on religious belief". Pakistan further called for the formulation of an Optional Protocol to the International Convention on the Elimination on All Forms of Racial Discrimination with the view to combating new forms of racial and religious discrimination.

On the 26 March 2014, during general debate that followed the **OHCHR Report on promoting reconciliation and accountability in Sri Lanka**, Pakistan stated that country specific initiatives are confrontational and counter-productive and reiterated a culture of engagement is most effective for ensuring the promotion and protection of human rights. Pakistan stated that Sri Lanka is a country with excellent democratic credentials and urged the OHCHR and members of the HRC to refrain from advocating a course of action that will exacerbate the challenges Sri Lanka is attempting to overcome.

On 27 March 2014, during **consideration of Israel**, Pakistan noted that Israel had not implemented any of the recommendations made during the first cycle of their UPR and expressed serious concern at the rejection of some of the recommendations that contained the term 'State of Palestine'. Pakistan called upon Israel to fulfill its obligations under international law.

During the Session Pakistan **voted in favour** of the following resolutions:

- Resolution on integrity of the judicial system;
- Resolution on impact of non-repatriation of funds of illicit origin to countries of origin;
- Resolution on promotion of a democratic and equitable international order;
- Resolution on Independent Expert on the effects of foreign debt on the full enjoyment of all human rights;
- Resolution on ensuring use of remotely piloted aircraft in counter-terrorism in accordance with international law;
- Resolution of the right of the Palestinian people to self-determination;
- Resolution on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
- Resolution on Human rights situation in Occupied Palestinian Territory, including East Jerusalem;
- Resolution on the Follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict; and
- Resolution on human rights in the occupied Syrian Golan.

Pakistan **voted against** the following resolution and decision:

- Resolution on promoting reconciliation, accountability and human rights in Sri Lanka;
- Resolution on situation of human rights in the Islamic Republic of Iran;
- Resolution on situation of human rights in the Democratic People's Republic of Korea; and
- Resolution on promotion and protection of human rights in the context of peaceful protests.

Pakistan **abstained** from voting on the following resolutions:

- Resolution on continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic.

The following resolutions were **passed without a vote** during the Session as they did not face

any opposition from any member of the Council:

- Resolution on Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;
- Resolution on enhancement of international cooperation in the field of human rights;
- Resolution on Strengthening the technical cooperation and advisory services in Guinea;
- Resolution on mandate of the Independent Expert on minority issues;
- Resolution on access to justice for children;
- Resolution on protection of human rights and fundamental freedoms while countering terrorism;
- Resolution on the role of good governance in the promotion and protection of human rights;
- Resolution on ending violence against Children - A global call to make the Invisible visible;
- Resolution on the question of the realisation in all countries of economic, social and cultural rights;
- Resolution on adequate housing as a component of the right to an adequate standard of living;
- Resolution on freedom of religion or belief;
- Resolution on situation of human rights in Myanmar;
- Resolution on Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance;
- Resolution on the International Decade for People of African Descent;
- Resolution on Special Rapporteur on the situation of human rights defenders;
- Resolution on Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment;
- Resolution on the right to food;

- Resolution on Promotion of the enjoyment of the cultural rights of everyone and respect for cultural diversity;
- Resolution on the right to education of persons with disabilities;
- Resolution on Human Rights and the environment;
- Resolution on assistance to the Republic of Mali in the field of human rights;
- Resolution on technical assistance for Libya in the field of human rights; and
- Resolution on intolerance, negative stereotyping and stigmatization, discrimination against persons based on religion or belief.

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## 26<sup>TH</sup> REGULAR SESSION (10<sup>TH</sup> – 27<sup>TH</sup> JUNE 2014)

On 10 June 2014, during a discussion on the **Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General** Pakistan assured the Council that the perpetrators of the murder of Farzana Iqbal would be dealt with in accordance with law; and that the Chief Justice of Pakistan's Supreme Court has taken *suo motu* notice of the same. Pakistan appreciated the High Commissioner's notice of moratorium on the death penalty and added that it is being considered by the Parliament. Pakistan highlighted that counter-terror measures should not undermine the rule of law and human rights and that it hopes that the OHCHR will pay attention to issues concerning armed drones and deployment of lethal autonomous weapons in the context of international human rights and humanitarian law. Pakistan added that states should not be allowed to create surveillance mechanisms which violate the right to privacy; and that there should be no tolerance for double standards. Pakistan further agreed with the High Commissioner that hate speech by political leaders is a road to perpetration of human rights violations and such tendencies need to be curbed with concrete actions on the ground. It urged the international community to criminalize incitement to hatred which leads to imminent violence. Pakistan highlighted that OHCHR must be free of financial and political constraints.

During the same discussion Pakistan made a statement on behalf of the (OIC), which highlighted issues concerning credibility of human rights work and politicization of human rights institutions. It shared High Commissioner's concerns about the excessive use of force by Israeli security forces against Palestinians; and urged upon all member states to compel the Israeli government to end its occupation of Palestine and other Arab territories. It called for the prohibition of incitement and advocacy to hatred and restrained and responsible universal exercise of freedom of expression and opinion. It concurred with the High Commissioner's views on terrorism and the need to struggle against abusive counter-terrorism measures. It stated that it does not accept that the universality of human rights values means to impose principles, which are incompatible with Islamic heritage. It took note of the High Commissioners call on all States to bridge the political divide on the right to development.

On 10 June 2014, during the **meeting on ‘Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development’ (Clustered Interactive Dialogue with the SR on right to freedom of expression and SR on peaceful assembly & association)**, Pakistan’s delegation made a statement on behalf of the OIC, which agreed that freedom of expression plays a central role in ensuring open, free, and fair political process, said that biased media campaign and electoral environment could lead to violence, chaos and un-democratic environment. It believed that legislation is crucial for combating hate speech and that there must be a clear threshold between freedom of expression and incitement to violence. It requested the Special Rapporteur to further elaborate on the responsibility of media in the context of electoral process and whether some impartial national or international mechanisms would be required in addition to self-regulation. While taking note of the responsibility of states to ensure the right to peaceful assembly and of association, it stated that the responsibility of those exercising this right to respect the rule of law couldn’t be underemphasized.

On 11 June 2014, during the **panel discussion on the safety of journalists**, Pakistan’s delegation highlighted the importance of free and independent media in a thriving democracy like Pakistan, and that journalists play an instrumental role in ensuring freedom of press, fostering accountability, protecting rights of citizens and providing access to prompt and timely information to the public on all issues. Pakistan believes that protection of journalists from intimidation and harassment is paramount to ensuring freedom of press and that it considers journalists the government’s partner in promotion of a culture of human rights in Pakistan. The delegation recognized that the very nature of journalists’ work makes them a target of extremists and terrorists as they often unveil massive human rights violations. The delegation underscored that given the unprecedented level of freedom of media, the government, the parliament, and the judiciary address all cases of intimidation and harassment of journalists and where required high-powered commissions are set up to investigate allegations.

Also on 11 June 2014, during the **Interactive Dialogue with the Special Rapporteur on the rights to freedom of peaceful assembly and association and the Special Rapporteur on the freedoms of expression**, Pakistan shared the SR on freedom of opinion and expression’s general assessment that during electoral process politicians do use political rhetoric which leads to incitement of hatred, hostility, discrimination and violence against vulnerable groups including religious and racial minorities and migrants. It also noted that the freedom of opinion and expression is threatened through election campaign financing and paid political advertising. Responding to the SR’s remark that mechanisms monitoring, recording, addressing and redressing violations of freedom of opinion and expression are needed during electoral process; the delegation said that such mechanisms can be made effective only if the freedom is exercised with responsibility, and as a result the permissible prohibition enumerated in Article 20 of ICCPR must be given utmost consideration. It pointed out that the vulnerable groups identified in the SR on the right to freedom of peaceful assembly and of association’s report go beyond the well recognised vulnerable groups defined and recognized by human rights law; and mentioned that there being no consensus on LGBT rights, it cannot be propagated as part of universally agreed group rights. Pakistan pointed out that reasonable prohibitions on the right, as laid out under Articles 21 and 22 of ICCPR must be adhered to in conducting peaceful assemblies and forming associations.

On 11 June 2014, during the **Interactive Dialogue with the SR on the right to health and the Working Group (WG) on Business and Human Rights**, Pakistan presented a statement on behalf of OIC on the issue concerning the increasing death toll owing to unhealthy food and diet-related non-communicable diseases. It remarked that the collective responsibility on ensuring the availability of nutritionally adequate and safe food cannot be ignored. The statement referred to the health hazards posed by obesity and malnutrition for developing and developed countries. While noting that advocacy and awareness are required the statement highlighted that in most developing countries the problem of malnutrition needs to be addressed mainly by provisions of accessible, affordable nutrition. It then thanked the EG (??) on Human Rights and Transnational corporations for their report which includes an overview on implementation of the Guiding principles on Business and human rights. It agreed with the WG that there were no easy ways of addressing the challenges of business and human rights and they called for collective responsibility of all stakeholders. It said it believes in a solid and shared understanding of the distinct but complementary duties and responsibility of States and business enterprises.

On 12 June 2014, during the **Clustered ID with SR on Violence Against Women (VAW), its causes and consequences and SR on extreme poverty and human rights**, Pakistan made a statement on behalf of OIC. While commenting on the SR on extreme poverty's report, the delegation largely agreed with the SR on States' responsibility to formulate policies in line with their human rights obligations, to ensure that activities of business enterprises incorporated under their laws do not violate human rights outside the States' territories, the need to assist the most disadvantaged individuals against flat taxation, States' responsibility to provide international assistance and cooperation commensurate with their capacities, resources and influence, and that poverty reduction is more effective and sustainable when combined with investments in areas such as education, health and food security. The delegation added that the main objective should be total global elimination of extreme poverty through international collaboration aiming at equitable distribution of wealth to reduce the difference between the world's haves and have-nots. The delegation took note of the recommendations made by the SR on VAW concerning women's economic empowerment and on duplication of efforts by UN agencies and bodies to deal with the issues.

The delegation then presented its statement to address the SR on VAW's report by saying that Pakistan has been actively participating at different forums of the UN to combat VAW, and that it has enacted legislations such as the Criminal Law Amendment Act 2004 and the Prevention of Anti-Women Practices Act 2011. Additionally, Pakistan has also taken several policy and administrative measures to deal with the issue. The delegation ensured that the killing of Ms. Farzana Iqbal would be dealt with by taking swift action against the perpetrators.

On 12 June 2014, during the **Clustered ID with SR on extrajudicial, summary and arbitrary executions and the SR on the human rights of IDPs**, the Pakistani delegation presented another statement on behalf of OIC in response to the SR on executions' report; wherein it agreed with the SR on the States' obligation to take reasonable precautions during law enforcement operations but also stated that each State has the right to decide about its criminal legal system in view of its emerging security challenges. It sought further deliberations from the SR on the requirements, as highlighted by him, which should be considered by domestic legal systems to prevent against

arbitrary deprivation of life. It agreed with the SR that the UNHRC should engage on the issue of Lethal Autonomous weapons. It also thanked the SR on Internally Displaced Persons (IDPs) for providing a detailed analysis of Kampala Convention.

At the same clustered ID, Pakistan then made its own statement strongly endorsing the SR on executions' recommendations that the UNHRC should express its views on the relevant normative framework applying to armed drones; and mentioned the panel discussion on the subject proposed by Pakistan would address some questions. Pakistan commented on SR on IDPs report by saying that the Kampala Convention cannot be used as a universal model owing to the different challenges faced by different regions while dealing with the issue.

On 13 June 2014, during the **Clustered Interactive Dialogue with the IE on human rights and international solidarity and SR on trafficking**, the Pakistani delegation presented a statement on behalf of the OIC, stating that it would be rational to desist from broadening a loose definition of "trafficking" as it would result in overlapping mandates and duplication of functions of special procedures. It marked the need to balance between national criminal justice mechanisms and the international human rights legal framework for provision of justice and effective remedy to trafficked persons. It also supported the IE on solidarity's recommendation to incorporate comments and inputs to the draft declaration by as many member states as possible.

Pakistan **voted in favour** of the following resolutions:

- Resolution on the Mandate of the Independent Expert on human rights and international solidarity;
- Resolution on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights;
- Resolution on the protection of the family;
- Resolution on Human rights and the regulation of civilian acquisition, possession and use of firearms; and
- Resolution on the promotion and protection of the human rights of peasants and other people working in rural areas.

Pakistan **voted against** the following resolutions during this Session:

- Resolution on the question of the death penalty;

Pakistan **abstained** from voting on the following resolutions:

- Resolution on the continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic;



- Resolution on the situation of human rights in Belarus; and
- Resolution on cooperation and assistance to Ukraine in the field of human rights.

The following resolutions were **passed without a vote** during the Session as they did not face any opposition from any member of the Council:

- Resolution on the implementation of the International Decade for People of African Descent: draft programme of activities;
- Resolution on extreme poverty and human rights;
- Resolution on the protection of Roma;
- Resolution on the elimination of discrimination against women;
- Resolution on the Mandate of the Special Rapporteur on the independence of judges and lawyers;
- Resolution on the Mandate of the Special Rapporteur on trafficking in persons, especially women and children;
- Resolution on International Albinism Awareness Day;
- Resolution on the Mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions;
- Resolution on the promotion, protection and enjoyment of human rights on the Internet;
- Resolution on human rights and arbitrary deprivation of nationality;
- Resolution on accelerating efforts to eliminate all forms of violence against women: violence against women as a barrier to women's political and economic empowerment;
- Resolution on the right to education: follow-up to Human Rights Council resolution 8/4;
- Resolution on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health: sport and healthy lifestyles as contributing factors;
- Resolution on the human rights of migrants: mandate of the Special Rapporteur on the human rights of migrants;

- Resolution on the Special Rapporteur on the rights of persons with disabilities;
- Resolution on the promotion of the right of migrants to the enjoyment of the highest attainable standard of physical and mental health;
- Resolution on Human rights and transnational corporations and other business enterprises;
- Resolution on the situation of human rights in Eritrea;
- Resolution on human rights and climate change;
- Resolution on the Social Forum;
- Resolution on the contribution of parliaments to the work of the Human Rights Council and its universal periodic review;
- Resolution on technical and capacity-building assistance for South Sudan in the field of human rights; and
- Resolution on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights.

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#### 27<sup>TH</sup> REGULAR SESSION (8<sup>TH</sup> – 26<sup>TH</sup> SEPTEMBER 2014)

On 9 September 2014 Pakistan made a statement on behalf of the OIC during the **Clustered Interactive Dialogue with the SR on the human right to safe drinking water and sanitation and the SR on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes**. Pakistan acknowledged that the framework established by the SR would assist States in preventing violations. Pakistan also stated that the issue of access to justice for victims required further deliberations. Pakistan emphasised the need to differentiate between willingness, capacity, competence and availability of requisite resources of states ensuring the right to water and sanitation. Pakistan requested the SR considered this issue within the context of the right to development.

On 10 September 2014, during the **panel Discussion on the Protection of the Human Rights of Persons Deprived of their Liberty**, Pakistan made a statement on behalf of the OIC. Pakistan noted that despite the extant international framework, 10.75 million people are still deprived of their right to liberty. Pakistan called on the panel to provide practical steps towards overcoming barriers to personal liberty including judicial oversight, overuse of detention, in particular concerning pre-trial detention and detention of migrants, overcrowding in detention facilities, death and cases of serious injury in detention, and the protection of groups with distinct needs, including women, children and persons with disabilities.

Also on 10 September 2014, during the **Interactive Dialogue with the WG on the Use of**

**Mercenaries as a Means of Violating Human Rights and Impeding the Exercise of the Right of Peoples to Self-Determination and IE on the Promotion of a Democratic and Equitable International Order**, Pakistan delivered a statement on behalf of the member states of OIC. Pakistan stated that the findings of the report of the WG on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of people's self-determination indicated that there was a clear gap in the current international legal framework for protecting human rights. Pakistan when on to strongly support the recommendation of the WG for a legally binding international regulatory instrument in order to protect human rights as a means of addressing this gap in current legal framework. Pakistan also welcomed the report of the Independent Expert on the promotion of a democratic and equitable international order. Pakistan asserted that military expenditure and investments in weapons have an adverse impact on the enjoyment of rights and that in order to achieve peace the international community should strive towards reducing military spending.

Further, on 10 September 2014, Pakistan made a statement on behalf of the OIC during the **Interactive Dialogue with the SR on the promotion of truth, justice, reparation and guarantees of non-recurrence and the Working Group on Arbitrary Detention**. Pakistan stated that it strongly believed that an effective prosecution system to investigate gross human right violations and violations of humanitarian law is indispensable to ensure justice for victims and to guarantee the existence of fair a just society. Pakistan also expressed concern over amnesty schemes for suspected perpetrators of gross human rights violations and requested the SR deliberate on the impacts on these schemes on the victims as the main aggrieved party. Pakistan also called attention to the importance of the report of the Working Group on Arbitrary Detention on regional and national frameworks guaranteeing right to personal liberty and the right to challenge the lawfulness of detention. Pakistan considered that this report could provide assistance to national legislations in evaluating best practices.

On 12 September 2014, during the **panel discussion on the right to privacy in the digital age**, Pakistan delivered a statement on behalf of the OIC. Pakistan raised concern regarding the increased surveillance of individuals and others States that the development of technology has allowed to occur. Pakistan mentioned that it was an issue that one country in particular has greater potential to intercept data as much of the world's electronic communications passes through it. Pakistan called for urgent action on a transparent international system with adequate international framework of Internet governance including appropriate safeguards in order to protect individuals from violations of their right to privacy.

Also on 12 September 2014, during the **general debate on the Report of the Working Group on the right to development**, Pakistan delivered a statement on behalf of the OIC member states. Pakistan pointed out that the objective of sustainable development is not being reached due to implications arising from global financial, food and energy crises. Pakistan emphasised that global partnership, based on the principles of international cooperation, capacity building and transfer of technology were necessary in order to overcome these challenges. Pakistan urged the UN human rights system to fully support the realisation of the Right to development and allocate adequate resources to the Council's mechanisms working on the right to development in order to move from verbal rhetoric to actual practical implementation.

On 15 September 2014, Pakistan made a statement on behalf of OIC during the **panel discussion on Protection of Family and its Members**. Pakistan emphasised the interest that Islam holds in the establishment of a stable and secure family institution and pointed out that the OIC has established the Department of Family Affairs, which addresses the issues of women, youth, and children as family members. Pakistan called upon the international community to improve the conditions of families through a comprehensive agenda fully focused on right to development in order to overcome challenges such as economic and financial stress.

Also on 15 September 2014, Pakistan delivered a statement during the **general debate on promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**. Pakistan emphasised that the right to self-determination is an inalienable and universal human right. Pakistan drew particular attention to the people of Occupied Jammu and Kashmir who are being exposed to gross human rights violations as a result of living under foreign occupation. Pakistan declared that it would continue to support the Kashmiri people in achieving self-determination and would continue to pursue avenues to a peaceful resolution on the issue in accordance with UN Security Council Resolutions. Pakistan called on the international community to play a role on achieving a quick a peaceful resolution to this dispute.

On 18 September 2014, Pakistan made a statement (although not delivered due to lack of time) on the **panel Discussion on the Role of Prevention in the Promotion and Protection of Human Rights**. Pakistan asserted that it was first and foremost the responsibility of States to promote and protect human rights. Furthermore, Pakistan stated that the UN could only assist states in advancing the promotion and protection of human rights through dialogue and cooperation. Pakistan stated its belief that preventive approaches by the UN Human Rights Machinery politicise its work and result in naming and shaming of countries which may lead to further polarisation. Rather, Pakistan believes that the primary responsibility of the HRC is to promote genuine dialogue and cooperation in a non-selective, transparent and objective manner in order to promote and protect human rights and address human rights violations.

On 19 September 2014, Pakistan made a statement (although not delivered due to lack of time) regarding the **Consideration of the Democratic People's Republic of Korea (DPRK)**. Pakistan welcomed DPRK in presenting an update on recommendations received during its second UPR and noted that despite the many challenges DPRK faces it remains committed to fulfilling its obligations and commitments insofar as it receives the necessary support. Pakistan recommended the Council adopt the UPR outcome report of DPRK by consensus.

Also on 19 September 2014, Pakistan made a statement (although not delivered due to lack of time) regarding the **Consideration of Brunei Darussalam**. Pakistan welcomed Brunei Darussalam for presenting an update on its second UPR and appreciated Brunei's decision to accept the majority of recommendations. Pakistan wished Brunei Darussalam success in implementing these recommendations and acknowledged the commitment of Brunei Darussalam in the protection and promotion of the human rights of its people.

Further on 19 September 2014, Pakistan made a statement (although not delivered due to lack of time) for the **Consideration of Qatar**. Pakistan welcomed Qatar for presenting an update on its

second UPR and appreciated Qatar's decision to accept the majority of recommendations. Pakistan wished Qatar success in implementing these recommendations and acknowledged the commitment of Qatar in the protection and promotion of the human rights of its people.

On 22 September 2014, Pakistan delivered a statement during the **panel discussion on ensuring use of remotely piloted aircraft or armed drones in counter-terrorism & military operations in accordance with international law including international human rights and humanitarian law**. As a main sponsor of the resolution, Pakistan welcomed the discussion on the topic. Pakistan acknowledged the need for armed drones, like any other weapon, to be used in compliance with long-standing rule of international law, in particular the principles of precaution, distinction and proportionality. Pakistan equated the use of armed drones in indiscriminate signature strikes and the problematic processes that accompany their use to extrajudicial killings and summary executions. Pakistan emphasised their view that the "technology" must follow the "law", rather than "law" following the "technology".

Also on 22 September 2014, Pakistan in the **general debate on human rights bodies and mechanisms** appreciated the efforts of the Chair Rapporteur of the IGWG on the Right to Peace in preparing the report and facilitating deliberations in a transparent and inclusive manner. Pakistan emphasised the rights of peoples to peace and identified four factors for realising this right including: addressing the causes of issues that hamper international peace and security; respecting sovereignty, territorial integrity and political independence of States; refraining from acting inconsistently with the purpose and Charter of the UN; and alleviating poverty by enabling greater participation of developing countries in international economic and financial decision making. Pakistan also stated that addressing human rights violations relating to contemporary forms of racism, racial discrimination, stigmatisation, xenophobia and forms of religious hatred and disrespect is crucial for realising the right to peace.

Further, on 22 September 2014, during the **general debate on the human rights situation in Palestine and other occupied Arab territories**, Pakistan delivered a statement on behalf of the OIC expressing their disappointment in certain members of WEOG neglecting the issue. Pakistan pointed out the brutality of the most recent military aggression in the occupied Gaza Strip and called the justification of these attacks as self-defence an argument that was legally incorrect and morally abhorrent. Pakistan stated that double standards on human rights are undermining the credibility of the UN human rights system and the efforts for the realisation of the rights of Palestinian people. Pakistan urged all member states to participate on the issue. Pakistan also welcomed the Commission of Inquiry as a tool for ensuring accountability for international crimes and for ending impunity. Pakistan expressed their disappointment in Israel's non-cooperation with the SR on mission to Palestine. Pakistan stated that Israel continued to violate international law and continued to ignore the ICJ's Advisory Opinion. Pakistan condemned Israel's racially discriminatory policies, illegal settlements, incitement of the Palestinian people and their holy places and terrorist activities by settler groups. Pakistan also called for an end to the occupation of the Syrian Golan Heights, calling it a violation of the rights of the Syrian population. In conclusion, Pakistan urged the international community to uphold its legal and moral obligations to the compel Israel to comply with international law and reverse violations of the rights of the people living in the occupied territories.

On 23 September 2014, Pakistan delivered a statement on behalf of the OIC during the **general debate on racism, racial discrimination, xenophobia and related forms of intolerance: follow-up to and implementation of the Durban Declaration and Programme of Action**. Pakistan expressed the OIC's concern for the growing manifestations of these acts, in particular the demonizing and dehumanising acts against Muslims. Pakistan reasserted that the OIC had never advocated for prohibitions on freedom of expression but were concerned with the implications of unchecked, unbridled and irresponsible statements and actions made to incite violence against Muslims on the basis of their religion. Pakistan called attention to laws that protect the Jewish population from similar acts and called for the acknowledgment of Islamophobia as a form of racism that needs to be dealt with as such. Pakistan drew attention to the OIC's consensus Resolution 16/18 on "Combating Intolerance, Negative Stereotyping and Stigmatisation of, and Discrimination, Incitement to Violence, and Violence against Persons based on Religion or Belief" adopted on 24 March 2011. Pakistan pointed out that the resolution was based on a series of practical steps to combat intolerance, discrimination and violence which need to be implemented.

On 24 September 2014, during the **Interactive Dialogue with the Independent Expert on the situation of human rights in Sudan**, Pakistan issued a statement thanking the Independent Expert for presenting the report and thanking the government of Sudan for their cooperation. Pakistan supported a holistic approach for the protection and promotion of human rights that balances the leading role of the concerned country in determining their national priority and the principles of cooperative dialogue, objectivity, transparency and non-selectivity. Pakistan acknowledged the efforts of Sudan and called attention to the challenges faced by Sudan due to the absence of sustained peace which undermined Sudan's capacity to achieve sustained economic growth. Pakistan appreciated Sudan's efforts on political stability, combating human trafficking, the adoption of the four-year national strategic plan for 2014 to 2018 by the National Commission on Human Rights and legislative measures to protect women and refugees. Pakistan did however call attention to need for international commitment to strengthen the capacity of the Sudanese government and ensure the provision of required resources in order to implement the UPR recommendations.

On 25 September 2014, Pakistan delivered a statement on the **Oral Update on Sri Lanka by the High Commissioner**. Pakistan stated its opinion that all country-specific decisions of the HRC should have complete support and voluntary consensus of the country concerned. Pakistan drew attention to Sri Lanka's rejection of HRC Resolution 25/1 which had called for comprehensive investigations by OHCHR. Pakistan called on the Council to refrain from allocating resources to initiatives which divert the focus from other more pressing human rights situations meriting attention. Pakistan asserted that there was no need for non-consensus mandates to undertake investigation as this only served to undermine the already existing special procedures, treaty bodies and UPR process which are adequate in dealing with investigation. Pakistan stated that the international community needed to assist and appreciate the progress achieved by Sri Lanka rather than punishing it. Pakistan called on countries sheltering and facilitating former LTTE dissidents to ensure that problems were not created amongst the expatriate Sri Lanka diaspora. Pakistan recounted the engagement of Sri Lanka with the international community and their ambition to promote engagement and a positive outcome to the reconciliation process in their country. Pakistan urged the Council to avoid promoting double standards and politicising its work.

Pakistan **voted in favour** of the following resolutions:

- Resolution on the right to development;
- Resolution on the Mandate of the Independent Expert on the promotion of a democratic and equitable international order;
- Resolution on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;
- Resolution on the promotion of the right to peace;
- Resolution on human rights and unilateral coercive measures; and
- Resolution on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights: the activities of vulture funds.

Pakistan **voted against** the following resolutions during this Session:

- Resolution on human rights, sexual orientation and gender identity.

Pakistan **abstained** from voting on:

- Resolution on the continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic.

The following resolutions were **passed without a vote** during the Session as they did not face any opposition from any member of the Council:

- Resolution on enforced or involuntary disappearances;
- Resolution on the promotion of truth, justice, reparation and guarantees of non-recurrence;
- Resolution on local government and human rights;
- Resolution on the safety of journalists;
- Resolution on realizing the equal enjoyment of the right to education by every girl;
- Resolution on the human right to safe drinking water and sanitation;
- Resolution on promoting human rights through sport and the Olympic ideal;
- Resolution on preventable maternal mortality and morbidity and human rights;

- Resolution on the World Programme for Human Rights Education: adoption of the plan of action for the third phase;
- Resolution on human rights and indigenous peoples;
- Resolution on preventable mortality and morbidity of children under 5 years of age as a human rights concern;
- Resolution on the right of the child to engage in play and recreational activities;
- Resolution on the National institutions for the promotion and protection of human rights;
- Technical assistance and capacity-building for Yemen in the field of human rights;
- Enhancement of technical cooperation and capacity-building in the field of human rights;
- Intensifying global efforts and sharing good practices to effectively eliminate female genital mutilation;
- Mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes;
- Equal participation in political and public affairs;
- Mandate of the Working Group of Experts on People of African Descent;
- National policies and human rights;
- [Technical assistance and capacity-building for human rights in the Democratic Republic of the Congo];
- Technical assistance and capacity-building in the field of human rights in the Central African Republic;
- Technical assistance and capacity-building to improve human rights in the Sudan; and
- Civil society space.

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## 28<sup>TH</sup> REGULAR SESSION (2<sup>ND</sup> – 27<sup>TH</sup> MARCH 2015)

On 3 March 2015 Pakistan delivered a statement to the **Annual High-level panel on human rights mainstreaming** on behalf of the OIC. The statement contended that undue attention had been paid by the Council to civil and political rights at the expense of economic, social and cultural rights, and urged an invigorated focus on the right to development. It also stressed the



need to promote mutual respect and acceptance of cultural and religious diversity.

On 4 March 2015 at the **Biennial High-level panel Discussion on the question of the death penalty** Pakistan asserted there was no international consensus on the death penalty, that states had the sovereign right to make decisions about their criminal justice systems and that the ICCPR clearly allows death sentences for the most serious crimes—including terrorist acts like the one which led Pakistan to end its moratorium in December 2014.

On 5 March 2015 in a statement delivered on behalf of the OIC during the **Interactive Dialogue with the Commissioner for the Presentation of the Annual Report of the High Commissioner for Human Rights** Pakistan underlined the need to fight terrorism and respect human rights in counterterrorism operations. It urged the prohibition and penalization of the ridicule, defamation or insult of religious personalities as hate speech. It emphasized the need to highlight human rights abuses in the Occupied Palestinian Territories and urged the integration of the right to development in the Sustainable Development Goals. In a further statement delivered on its own behalf Pakistan urged the Commissioner to prioritize economic, social and cultural rights, protested drone strikes on Pakistani territory and defended the revival of the death penalty in the country as related to counterterrorism efforts.

On 6 March 2015 during the **Annual full-day discussion on human rights and climate change** Pakistan was extremely vulnerable to climate change despite being a low per-capita contributor to emissions and underlined the importance of common but differentiated responsibilities for developing and developed countries in addressing the issue.

On 9 March 2015 during the **Interactive Dialogues on human rights obligations related to a sustainable environment and the impact of international financial obligations on human rights**, Pakistan on behalf of the OIC called for differentiated obligations in terms of environmental measures. It also stated that it was imperative to understand the interlinkages between foreign debt and human rights abuses.

Also on 9 March 2015, in a statement on behalf of the OIC during the **Interactive Dialogues with the Special Rapporteurs on the Right to Food and Right to Adequate Housing** said the lack of capacity to ensure the Right to Food, critical to other rights, should not be confused with an unwillingness to ensure the right, and asked for a debate on how to encourage international cooperation on the matter. It also asserted each state had the right to determine how to realize human rights including the Right to Housing and said there should be only one channel of communication between states and the human rights machinery including Special Procedures.

Further, on 9 March 2015 during the **Interactive Dialogues with the Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment and on the situation of human rights defenders** Pakistan on behalf of the OIC called for human rights defenders to be protected, but also questioned the Rapporteur' on Human Rights Defenders' Strategic Work Plan's call for legislative or regulatory measures, stating that HRDs should work within the domestic legislative framework and in conjunction with state institutions. It also criticized the release of the report just 48 hours before the dialogue and encouraged states to protect the rights of detained children.

On 10 March 2015 during the **Interactive Dialogue with the Special Rapporteur on Freedom of Religion** Pakistan on behalf of the OIC condemned violence in the name of religion and highlighted the lead role of the state in guaranteeing human rights and the importance of not being subject to extraneous interference in this regard. It expressed surprise the SR had not directly addressed hate speech, which it said needs to be controlled, and criticized the SR's report for overlooking the importance of implementing the action plan of OIC Resolution 16/18.

Also on 10 March 2015 during the **Annual Interactive Debate on the Rights of Persons with Disabilities** Pakistan on behalf of the OIC called for the elimination of legal and environmental barriers to the participation and integration of persons with disabilities in their communities and urged states to allocate adequate resources to ensure the rights of the disabled.

On 11 March 2015 during the **Interactive Dialogues with the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the sale of the children, child prostitution and child pornography** Pakistan on behalf of the OIC agreed with the SR on the sale of children that a comprehensive strategy was needed to combat exploitation via new technologies. In regard to cultural rights, it said the current copyright system hinders the right to development by privileging authors over readers, and also has fewer protections for traditional knowledge, and that a human rights perspective should be used for setting norms and expectations in this area.

Also on 11 March 2015 during the **Interactive Dialogues with the Special Representative of the Secretary-General on Violence against Children and the Special Representative of the Secretary-General on Children and Armed Conflict** Pakistan on behalf of the OIC said the international community had to protect the rights of children in armed conflict, citing the 2014 military operations by Israel in Gaza. It echoed the concern by the SRSG on Violence Against Children over violence arising due to information technology and called for balancing children's rights with protecting them from danger.

On 12 March 2015 during the **Annual full-day meeting on the rights of the child: "Towards better investment in the rights of the child"** Pakistan gave an overview of its policies related to child rights, underlined their importance as the basis of sustainable development and that of partnerships for financial and technical assistance in this area.

On 13 March 2015 during **general debate** Pakistan called for the people of Kashmir to be afforded the right to self-determination, which it described as essential to ensuring peace in the region.

On 16 March 2016 during the **Interactive Dialogue with the Special Rapporteur on the situation of human rights in Myanmar** Pakistan on behalf of the OIC said it was concerned over the plight of the Rohingya Muslim minority in the country, and urged Myanmar to address the threats facing the community, ranging from violence to social discrimination and economic deprivation, and recognize their citizenship.

On 18 March 2015 during the **Interactive Dialogue with the Special Rapporteur on minority issues** Pakistan said there had to be a clear threshold between hate speech and free speech and that freedom of expression and prohibition of incitement were mutually supportive and could be

practiced simultaneously under international law.

On 19 March 2015 during the **Consideration of Kazakhstan** Pakistan thanked the country for accepting the majority of recommendations made, including those from Pakistan, and said Kazakhstan's government had demonstrated it was committed to protecting human rights.

Also on 19 March 2015 during the **Consideration of Iran** Pakistan commended the country for accepting a majority of its recommendations, including relating to the rights of women and children and healthcare access.

Further, on 19 March 2015 during the **panel discussion on the issue of national policies and human rights** Pakistan on behalf of the OIC said the OIC believed states have the primary responsibility for human rights and that international cooperation could help states bridge gaps in their capacities to protect rights, including through technical assistance. It added civil society was important in helping states meet obligations, promoting awareness and assisting with human rights education.

Additionally, on 19 March 2015 during the **Consideration of the outcome of Iraq** Pakistan said Iraq had demonstrated a commitment to improving human rights despite difficult circumstances and thanked it for accepting the majority of recommendations including those made by Pakistan.

On 20 March 2015 in a statement not delivered due to lack of time during the **Consideration of the outcome of Egypt** Pakistan thanked Egypt for accepting a majority of recommendations including those made by Pakistan, and praised the country for its efforts to empower women and provide social services.

On 23 March 2015 during the **Interactive Dialogue with the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967** Pakistan on behalf of the OIC said the OIC was deeply disappointed by Israel's non-cooperation with the SR and characterized the human rights situation in the Occupied Territories as grim. It said it was essential to ensure accountability and end the impunity Israel has had and asked the SR to comment on how to make this happen.

Also on 23 March 2015 during a **general debate on the human rights situation in Palestine and other occupied Arab territories** Pakistan on behalf of the OIC said the non-participation of some member States in the debate undermined the credibility of the Council and expressed alarm at some countries' defence of Israel's actions. It condemned numerous Israeli policies, including the wall, settlement construction and the occupation of the Syrian Golan and urged the international community to force Israel to reverse its violations of international law.

Additionally, on 23 March 2015 during **general debate on the follow-up to and implementation of the Vienna Declaration and Programme of Action** Pakistan on behalf of the OIC said national and regional particularities and historical, religious and cultural backgrounds had to be borne in mind when considering human rights. It stated that the Council had to engage in a positive, constructive way free of politicization and double standards if it was to effectively protect and promote human rights.

And, on 23 March 2015 during the **general debate on racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action** Pakistan on behalf of the OIC said Islam was a religion of peace and that no religious community should be equated with terrorism. It said that there had to be a distinction between free speech and hate speech, which for Muslims included insults to the religion and its followers. It called for implementation of the action plan for Resolution 16/18, and decried rising Islamophobia and relative tolerance for discrimination against Muslims in comparison to anti-Semitism (which it also condemned). In a further statement on its own behalf Pakistan said it was implementing Resolution 16/18 through legislative, administrative and judicial measures and was actively promoting and protecting minority rights.

On 25 March 2015 during the **Annual thematic discussion on technical cooperation in the promotion and protection of human rights** Pakistan on behalf of the OIC said national efforts to promote and protect rights should be supported by technical cooperation including assistance with poverty eradication. It said the debate on this issue should not be politicized or used for country-specific situations

Pakistan **voted in favour** of the following resolutions:

- Resolution on human rights in the occupied Syrian Golan;
- Resolution on the right of the Palestinian people to self-determination;
- Resolution on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan;
- Resolution on human rights situation in the Occupied Palestinian Territory, including East Jerusalem.

Pakistan **voted against** the following resolutions during this Session:

- Resolution on the situation of human rights in the Islamic Republic of Iran.

Pakistan **abstained** from voting on:

- Resolution on the continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic;
- Resolution on the situation of human rights in the Democratic People's Republic of Korea.

The following resolutions were **passed without a vote** during the Session as they did not face any opposition from any member of the Council:

- Resolution on the right to work;
- Resolution on the right to privacy in the digital age;
- Resolution on freedom of religion or belief;
- Resolution on the rights of the child: towards better investment in the rights of the child;
- Resolution on the situation of human rights in Myanmar;
- Resolution on contribution of the Human Rights Council to the special session

- of the General Assembly on the world drug problem of 2016;
- Resolution on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief;
  - Resolution on technical assistance and capacity-building to improve human rights in Libya;
  - *Resolution on technical assistance and capacity-building for Mali in the field of human rights*;
  - Resolution on technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Daesh and associated terrorist groups;
  - *Resolution on strengthening of technical cooperation and consultative services in Guinea*;
  - Resolution on prevention of genocide.

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## 29<sup>TH</sup> REGULAR SESSION (15<sup>TH</sup> JUNE – 3<sup>RD</sup> JULY 2015)

On 15 June 2015 during the **Update by the United Nations High Commissioner for Human Rights** Pakistan on behalf of the OIC said primary responsibility for realizing human rights rested with States, with the OHCHR filling an important role in technical assistance, and that this role should not be characterized by selectivity or politicization. It urged a balancing of civil and political with economic, social and cultural rights in the thematic debates, and said the OHCHR's dependence on extra-budgetary resources and geographic representation in the Office had to be addressed. It also expressed concern over the human rights situation of the Rohingya in Myanmar, migrants and the Occupied State of Palestine.

Also on 15 June 2015 during the **Enhanced Interactive Dialogue on the human rights of migrants** Pakistan said it was important to protect migrant rights, match short-term market considerations with long-term demographic trends, avoid stigmatization of migrants, and promote inter-state dialogue. It supported anti-trafficking measures and also the root causes of the issue such as poverty, and added the situation of Rohingya was an example which required appropriate intervention. It added rules on civilian protection and armed conflict should not be used to pursue political objectives.

Additionally, on 15 June 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on the human rights of migrants and the Special Rapporteur on minority issues** Pakistan on behalf of the OIC said the EU's border management was an important issue in relation to the human rights of migrants and noted with concern the threats they faced within the EU including racism, xenophobia, detention and lack of access to justice. It urged the EU to address these issues including through resettlement programmes, creating more legal immigration channels facilitating access to justice and detention alternatives and combatting racism. It noted with concern the SR on minority rights' report on the Roma and urged the international community to ensure their effective participation and human rights.

On 16 June 2015 during the **Clustered Interactive Dialogue with the Working Group on the issue of human rights and transnational corporations and the Special Rapporteur on trafficking in persons** Pakistan on behalf of the OIC asked the WG to explain why some stakeholders wanted a legally binding Instrument rather than non-binding guiding principles for transnational corporations and what role the UN would play in implementing the principles. It added extraterritorial accountability remained a serious challenge. It also stated trafficking had to be understood in terms of driving socio-economic factors and urged States to cooperate to address development issues to discourage demand.

Also on 16 June 2015 during the **panel on realizing the equal enjoyment of the right to education by every girl** Pakistan on behalf of the OIC said educating girls was essential and said cultural and socio-economic barriers to education had to be countered. It said the main barrier to education was one of resources and capacity and an inclusive and equitable international economic and political order was needed to respond to the needs of States at different levels of development.

On 17 June 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on the right to freedom of expression and the Special Rapporteur on peaceful assembly and association** Pakistan on behalf of the OIC said encryption and digital anonymity was not such a freedom of expression issue but also one of technological developments and national security, including mass surveillance. It said even States had had their privacy violated and hoped future dialogues would be more focused. It said the freedoms of expression and assembly should be exercised in accordance with the ICCPR, other international instruments and national legislation. It asked the SR on freedom of assembly to elaborate on extraterritorial obligations and the legally binding instrument for business.

On 18 June 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the right to health** Pakistan on behalf of the OIC said the importance of child-sensitive justice could not be overemphasized and agreed with the SR that investing in it was essential for the rule of law, human rights and democracy. It urged States to create such justice systems and encourage restorative justice for youth. It noted with interest the diverse themes the SR for health had selected and urged him to work within his mandate to avoid duplication.

Also on 18 June 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on the right to education and the Independent Expert on International Solidarity** Pakistan on behalf of the OIC agreed with the SR that the rapid growth of private education was a concern but asked for deliberation on differentiating between the lack of availability of public schools and parents choosing to enrol children in private schools even when public options exist. It agreed there should be effective regulation of private schools and that the right to education was fundamental. It also looked forward to a revised draft declaration on the rights of peoples and individuals to international solidarity.

On 19 June 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on summary executions and the Working Group on discrimination against women** Pakistan on behalf of the OIC agreed with the SR that information and communication technologies could help protect human rights but that evaluating the flood of information was a challenge and that

citizens and state officials needed to be educated on digital security and safety. It also worried terrorists could create fake digital evidence to foment unrest. It urged States to take a cautious approach and develop checks and balances to prevent the abuse of technology. It stated that discrimination against women and girls had to be combatted but said the WG had overstepped its mandate by criticizing the resolution on family adopted by the Human Rights Council.

Also on 19 June 2015 during the **panel on women's human rights and participation in power and decision-making** Pakistan on behalf of the OIC said women had to have more of a voice in the economic, political and social spheres at every level from local to international. It urged the international community to address this challenge, strengthen mechanisms for protecting women's rights and integrate a gender perspective into the post-2015 agenda.

On 22 June 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on extreme poverty and the Special Rapporteur on countering terrorism** Pakistan on behalf of the OIC said economic inequality had to be eliminated in order to tackle social inequalities, and that economic inequalities should be given equal focus as civil and political rights. It strongly condemned the SR's reference to "controversial and non-consensual groupings" in his report and urged him to focus on universally recognized groups and language. It stated that counter-terrorism efforts had to be applied equitably and respect the sovereignty and territorial integrity of States. It also condemned the association of terrorism with any specific race, ethnicity, faith, culture or society.

Also on 22 June 2015 during **general debate on the HC/SG thematic reports** Pakistan on behalf of the OIC said the family was the basis of society and categorically rejected the resolution which led to the report by the High Commissioner on Human Rights' report on discrimination and violence against individuals based on sexual orientation and gender identity. It also characterized the report's recommendations as an unacceptable infringement on the internal affairs of States. It reiterated criticism of the Working Group on discrimination against women for overstepping its mandate in discussing LGBT rights, and said upholding family values was important for protecting human rights.

On 24 June 2015 during **general debate** Pakistan used its right of reply to object to comments Norway had made about the death penalty in Pakistan. It noted it had ended its moratorium under public demand after an agreement among all political parties and that its actions were in compliance with national and international law. It added there was no international consensus on the death penalty. It also took exception to Belgium's comments on banning NGOs, which Pakistan said it had not done. Rather, it was trying to make NGOs work within national laws according to principles of neutrality, transparency and accountability. It urged European countries to be less selective in their focus and pay more attention to abuses of migrant rights in their own region.

On 26 June 2015 during the **Consideration of Turkey** Pakistan said it appreciated the steps the country had made on human rights, including combatting gender discrimination and encouraging women's empowerment. It said Turkey's acceptance of the majority of Pakistan's recommendations demonstrated a commitment to human rights.

On 29 June 2015 during the **general debate** Pakistan on behalf of the OIC objected to attempts to undermine the occupation of Palestine as an agenda item for the UNHRC and condemned both

numerous Israeli human rights abuses in the Palestinian territories and Occupied Syrian Golan, including the construction of the wall and illegal settlements and mass arbitrary detention. It also condemned the aiding and abetting of Israel by other countries.

Also on 29 June 2015 during **general debate** Pakistan on behalf of the OIC said the Council had to do its work without politicization or selectivity, in line with the Vienna Declaration and Programme of Action. It objected to the introduction of sexual orientation as a topic in the UN human rights system and said human rights can only be achieved if controversial concepts are avoided.

On 30 June 2015 during **general debate** Pakistan on behalf of the OIC said it was concerned about rising sentiment against immigrants and minorities, and voiced support for implementing Resolution 16/18 as a way forward to combat incitement to hatred and violence. It noted Islam's tradition of tolerance and decried attempts to associate Muslims and Islam—or any other community—with terrorism.

Also on 30 June 2015 during the **panel discussion on the effects of terrorism on the enjoyment by all persons of human rights and fundamental freedoms** Pakistan said terrorism had no religion or borders, and that addressing it required addressing its root causes, such as political and economic deprivation. It said it was important to distinguish between terrorism and legitimate struggles for self-determination and for states to avoid non-combatant casualties, respect rule of law, avoid illegal practices and respect the sovereignty and territorial integrity of states.

Pakistan **voted in favour** of the following resolutions:

- Resolution on human rights and international solidarity;
- Resolution on human rights and the regulation of civilian acquisition, possession and use of firearms;
- Resolution on protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development;
- Resolution on cooperation and assistance to Ukraine in the field of human rights;
- Resolution on ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem.

Pakistan did not **vote against** any resolutions during this session.

Pakistan **abstained** from voting on:

- Resolution on the grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic;
- Resolution on the situation of human rights in Belarus.

The following resolutions were **passed without a vote** during the Session as they did not face any opposition from any member of the Council:

- Resolution on the fiftieth anniversary of the adoption and the fortieth anniversary of the entry into force of the International Covenants on Human Rights;



- Resolution on the protection of the human rights of migrants: migrants in transit;
- Resolution on the elimination of discrimination against women;
- Resolution on the elimination of discrimination against persons affected by leprosy and their family members;
- Resolution on the independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers;
- Resolution on the right to education;
- Resolution on strengthening efforts to prevent and eliminate child, early and forced marriage;
- Resolution on the protection of human rights and fundamental freedoms while countering terrorism;
- Resolution on the negative impact of corruption on the enjoyment of human rights;
- Resolution on unaccompanied migrant children and adolescents and human rights;
- Resolution on the Mission by the Office of the United Nations High Commissioner for Human Rights to improve human rights, accountability and reconciliation in South Sudan;
- Resolution on accelerating efforts to eliminate all forms of violence against women: eliminating domestic violence;
- Resolution on human rights and climate change;
- Resolution on the situation of human rights in Eritrea;
- Resolution on the Social Forum;
- Resolution on the incompatibility between democracy and racism;
- Resolution on the situation of human rights of Rohingya Muslims and other minorities in Myanmar;
- Resolution on capacity-building and technical cooperation with Côte d'Ivoire in the field of human rights.

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### 30<sup>TH</sup> REGULAR SESSION (14<sup>TH</sup> SEPTEMBER TO 2<sup>ND</sup> OCTOBER 2015)

On 14 September 2015 during the **Update by the United Nations High Commissioner for Human Rights** Pakistan on behalf of the OIC said it was important to fulfil all activities through the regular budget to ensure transparency and impartiality. It underlined the importance of not politicizing issues and of paying attention and focusing resources equally on all rights. It expressed concern over the migration crisis in Europe and called for addressing the root causes and creating a human-rights framework on migration. It also called for Israel to be held accountable for violations of international law in Palestine.

On 15 September 2015 during the **Clustered Interactive Dialogue with the Rapporteur of the Working Group on arbitrary detention and the Special Rapporteur on contemporary forms of slavery** Pakistan on behalf of the OIC said it regretted the draft guidelines and principles on arbitrary detention referenced controversial notions which are not universally agreed upon. It also

asked the working group to deliberate possible linkages with the work of the International Committee of the Red Cross and other relevant agencies. It said that on the issue of drug control the working group's report lacked detail on challenges faced by societies and the link between drug crimes and transnational crimes. On slavery, it said demand and not just supply needed to be addressed, and that the right approach involved dealing with other fundamental rights under the umbrella of sustainable development. It also said transnational corporations had to be held accountable for slavery and asked the SR to deliberate on the binding instrument being negotiated for corporations.

Also on 15 September 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on the promotion of truth, justice, reparation & guarantees of non-recurrence and the Working Group on enforced or involuntary disappearances** Pakistan on behalf of the OIC said addressing forced disappearances required comprehensively addressing economic, social and cultural rights including the right to development and urged States to take measures to foster these rights. On non-recurrence, it said a general policy may not be possible and instead urged post-conflict states to ensure guarantees of non-recurrence through diverse measures including universal civil registration, legal and educational reforms, accountability and prompt and impartial investigations of violations.

Additionally, on 15 September 2015 during the **Annual discussion on the integration of a gender perspective throughout the work of the Human Rights Council and that of its mechanisms** Pakistan on behalf of the OIC said women had to remain at the forefront of both legal and cultural and social efforts to work for gender equality. It said values systems and education had to inculcate equality and the Council had to continue to make it a focus.

On 16 September 2015 during the **Clustered Interactive Dialogue with the Independent Expert on the rights of older persons and the Working Group on the use of mercenaries** Pakistan on behalf of the OIC said existing domestic-level regulations and laws on private security and military companies were insufficient for establishing accountability, oversight and means of redress for victims, and therefore supported the WG's recommendation to create a binding international legal instrument to regulate them. It agreed with the IE that age-sensitive communities and age-friendly environments were needed and urged States to ensure older persons were able to live in such environments.

Also on 16 September 2015 during the **Clustered Interactive Dialogue with the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes and the Special Rapporteur on the human right to safe drinking water and sanitation** Pakistan on behalf of the OIC concurred with the SR on hazardous substances that information on such substances should be available, functional and accessible for all. On safe drinking water and sanitation, it said the cost of not investing was higher than that of investing, and urged States to extend services to the disadvantaged, ensure affordability and eliminate inequalities in services.

On 17 September 2015 during the **update of the IGWG on the right to development** Pakistan on behalf of the OIC said it was concerned by persistent deadlock in the working group and that there

was a need for tangible results. It said the agreement on the SDGs was a positive step and the economic pillar of the Goals should not be ignored.

Also on 24 September 2015 during the **panel on good governance in public service** Pakistan on behalf of the OIC said good governance was crucial. It underlined that a human rights approach to good governance was complicated by the broad scope of human rights, government resistance, inequalities between countries and lack of resources. It said it was essential decision-making and implementing processes at the national and international level complement national priorities and international standards to achieve the objective of good governance.

Further, on 24 September 2015 in a statement not delivered due to lack of time during the **Consideration of Maldives** Pakistan said Maldives had accepted a majority of recommendations including those made by Pakistan and had introduced constitutional and legislative reforms to better protect human rights.

On 28 September 2015 during the **general debate** Pakistan on behalf of the OIC condemned continued Israeli impunity for human rights abuses in Palestine, including the denial of fundamental freedoms, the construction of illegal settlements, the blockade of Gaza, racist acts and terrorist actions by settlers against Palestinian civilians. It called for Israel to release Palestinian prisoners being arbitrarily detained and repeal the recent law allowing force-feeding, which amounts to torture. It also called for an end to the occupation of the Syrian Golan.

Also on 28 September 2015 during **general debate** Pakistan on behalf of the OIC said the international community's level of commitment and support to fixing the migrant crisis was deplorable and the reaction of some European countries disturbing. It said security-driven policies which affected the human rights of migrants and refugees were both violations of international law and counter productive. It urged a cooperative, human rights approach which protected migrants' fundamental freedoms and addressed the root causes of migration by securing all rights, including economic, social and cultural rights and the right to development.

Further, on 28 September 2015 during **general debate** Pakistan on behalf of the OIC said there had been a disturbing rise in racism, xenophobia and religious intolerance. It was worried about the victimization of Muslims and migrants. It recognized the need to prepare complementary standards to strengthen and update international instruments against racism, xenophobia and related intolerance. It also highlighted the importance of HRC Resolution 16/18 on combatting intolerance. It called for an international framework for fighting racism, including an inquiry procedure in line with other human rights instruments, strengthening national mechanisms, criminalizing hate speech and compensating victims. In an additional statement on its own behalf Pakistan highlighted and criticized incidents of xenophobia and racism in the United States and Europe and Western policies in the Middle East and North Africa. It reiterated the High Commissioner for Refugees' insistence that this was a refugee crisis and international action was needed.

Pakistan **voted in favour** of the following resolutions:

- Resolution on human rights and unilateral coercive measures;
- Resolution on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;
- Resolution on promotion of the right to peace;
- Resolution on promotion and protection of the human rights of peasants and other people working in rural areas;
- From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance;
- Resolution on the Forum on people of African descent in the diaspora;
- Resolution on the right to development;
- Resolution on the promotion of a democratic and equitable international order.

Pakistan **voted against** the following resolutions:

- Resolution on the question of the death penalty.

Pakistan **abstained** from voting on:

- The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic;
- Human rights and preventing and countering violent extremism.

The following resolutions were **passed without a vote** during the Session as they did not face any opposition from any member of the Council:

- Resolution on promoting reconciliation, accountability and human rights in Sri Lanka;
- Resolution on regional arrangements for the promotion and protection of human rights;
- Resolution on human rights and indigenous peoples;
- Resolution on human rights in the administration of justice, including juvenile justice;
- Resolution on the contribution of the Human Rights Council to the High-level meeting on HIV/AIDS in 2016;
- Resolution on equal participation in political and public affairs;
- Resolution on the review of the mandate of the Expert Mechanism on the Rights of Indigenous Peoples;
- Resolution on the contribution of parliaments to the work of the Human Rights Council and its Universal Periodic Review;
- Resolution on technical assistance and capacity-building for Yemen in the field of human rights;
- Resolution on technical assistance and capacity-building in the field of human rights in the Central African Republic;
- Resolution on assistance to Somalia in the field of human rights;
- Resolution on enhancement of technical cooperation and capacity-building in the field of human rights;
- Resolution on technical assistance and capacity-building to improve human rights in the Sudan;

- Resolution on advisory services and technical assistance for Cambodia;
- Resolution on national policies and human rights;
- Resolution on promoting international cooperation to support national human rights follow-up systems and processes;
- Resolution on technical assistance and capacity-building for human rights in the Democratic Republic of the Congo;
- Resolution on technical cooperation and capacity-building for Burundi in the field of human rights.

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### 31<sup>ST</sup> REGULAR SESSION (29<sup>TH</sup> FEBRUARY TO 24<sup>TH</sup> MARCH 2016)

*Note: Pakistan's term on the Council concluded in 2015. The statements below were made in its capacity as an observer, not a voting member.*

On 29 February 2016 during the **Annual panel Discussion on human rights mainstreaming** Pakistan on behalf of the OIC said the right to development was essential to realizing other rights. It supported cooperation and coherence between international and national policies but noted domestic development policies should be nationally driven and owned. It also said the root causes of conflicts had to be addressed. It added OHCHR had to continue to have a distinct, identifiable mandate and structure to support the realization of the right to development.

On 2 March 2016 during the **general segment** Pakistan said it accorded the protection and promotion of human rights highest priority. It noted its domestic efforts to prevent abuses against women and children and the launch of a National Action Plan on human rights. It announced its candidacy for the 2018-2020 term in the Council.

On 3 March 2016 during the **panel discussion on climate change and right to health** Pakistan on behalf of the OIC said it supported health coverage and access to vaccines and medicine for all. It said climate change disproportionately affected developing countries and that developed countries should take the lead in helping with mitigation and adaptation efforts, including on preventing adverse affects on the determinants of health. It said capacity building, sharing of best practices and awareness campaigns would help mitigate these impacts. It asked how the Paris Agreement could further the right to health among vulnerable populations in developing countries.

Also on 3 March 2016 during the Clustered Interactive Dialogue with the **Special Rapporteur on the issue of human rights obligations relating to the safe, clean, healthy and sustainable development, and the Special Rapporteur on adequate housing** Pakistan on behalf of the OIC said it agreed on the harm caused by homelessness, that adequate housing was a right, that inequalities were the root cause of homelessness and that it empathized with homeless people. It asked how adequate housing for all could be achieved by 2030 given development disparities between nations. On the environment, it agreed ways forward including distributing information on environmental rights, building capacity, strengthening cooperation, and developing and disseminating guidelines. It said the principle of differentiated responsibilities had to be applied in

this context and asked the SR to elaborate on his proposal for an international instrument, as well as on practical solutions to overcome environmental human rights challenges.

Additionally, on 3 March 2016 during the **Clustered Interactive Dialogue with the Special Adviser to the Secretary-General on the prevention of genocide and the Special Rapporteur on the situation of human rights defenders** Pakistan said protecting HRDs was a moral imperative as well as a State responsibility and noted its own history of prominent HRDs, especially on the topic of women's rights.

On 4 March 2016 during the **Clustered Interactive Dialogue with the Special Rapporteur on the rights of persons with disabilities and the Independent Expert on the enjoyment of human rights of persons with albinism** Pakistan on behalf of the OIC said it considered promoting the rights of persons with disabilities to be not just an obligation but a religious duty under Islam. It said the inclusion of these rights in Agenda 2030 and other frameworks provided a strong start for further promoting these rights. It stated that inclusive decision making would lead to inclusive development and noted the SR's report's suggestions for participatory decision making and strengthening organisations for persons with disabilities. It noted the role the media could play in disseminating information and said the OIC was committing to mainstreaming this issue at the national level.

On 7 March 2016 during the **Clustered Interactive Dialogue with the Independent Expert on the effects of foreign debt and the Special Rapporteur on the right to food** Pakistan on behalf of the OIC said legal rights for rural women was very important. It stated that the current international regime for intellectual property hindered the ability of rural communities to develop and share seeds, and that this regime didn't prevent bio-piracy or protect traditional knowledge. It said the SDGs provided an opportunity to empower rural women and that the corporatization of agriculture required further analysis. On debt, it agreed income inequalities between and among countries led to financial crises and said an exposition on the barrier debt-burdened countries face in pursuing socioeconomic equity was needed. It said ill considered responses to debt overhangs were a cause of social unrest and that there was a need to move away from austerity policies and towards decreasing debt and allowing broad-based growth.

Also on 7 March 2016 during the **Annual Full-day Meeting on the rights of the child** Pakistan noted its efforts to protect the rights of children and said the international community was responsible for making the digital world safe for children.

On 8 March 2016 during the **Clustered Interactive Dialogue with the Special Representative of the Secretary-General on violence against children and the Special Representative of the Secretary-General for children and armed conflict** Pakistan on behalf of the OIC said it shared the SR on violence against children's report's concern over rising incidents of abduction and the death of children. It called upon the international community to protect the rights of children in armed conflict and to make a unified response to the challenge of building a safe online environment. It asked the SR to share their views on practical measure that could be taken to protect children in occupied territories.

Also on 8 March 2016 during the **Clustered Interactive Dialogue with the Special Rapporteur on torture and other cruel, inhuman or degrading treatment of punishment and the Special Rapporteur on the sale of children, child prostitution and child pornography** Pakistan on behalf of the OIC agreed that the lack of accountability for crimes against children has been a factor in the proliferation of child pornography and urged all States to arrest demand-supply chains. It also expressed its concern over the sale of children and child pornography during conflict. It asked the SR to investigate claims of migrant children from Syria, Afghanistan and Iraq disappearing while entering Europe. On torture, it condemned all forms of torture and inhumane treatment but criticized the report for casually equating torture with ill-treatment, thereby diluting the seriousness and gravity of torture, and the “introduction of controversial issues in the report that are not agreed in international, human rights instruments.” It asked the SR to suggest practical steps to end social and psychological torture due to displacement, especially among women and girls. In a further statement on its own behalf Pakistan detailed its efforts to prevent torture domestically and asked the SR how to promote sharing of best practices on torture prevention.

On 9 March 2016 during the **Interactive Dialogue on the joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions** Pakistan said it had numerous domestic policies to protect freedom of assembly and association and said the exercise of these rights had strengthened democracy in the country.

On 10 March 2016 during the **Clustered Interactive Dialogue with the Special Rapporteur on promotion and protection of human rights while countering terrorism and the Special Rapporteur in the field of cultural rights** Pakistan said the definition of violent extremism needed further elaboration. It gave an overview of national efforts to counter extremism—which involved education, reform and narrative shifting, not just law enforcement measures. It said it attached importance to the Global Counter-Terrorism Strategy as well as the Security Council resolutions on terror, especially the sanctions on ISIL, the Taliban and Al-Qaida. It said it was working on stopping terrorism financing and committed to protecting human rights while countering terrorism.

Also on 10 March 2016 during the **Annual Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General** Pakistan on behalf of the OIC noted the human rights principles enshrined in Islam and said that its stress on recognizing cultural and religious diversities was not an attempt to deny the universality of human rights. It added universality did not apply to things that were not universally acceptable or that were self-proclaimed rights. It stated its opposition to discrimination and equating terrorism with any religion. It expressed support for the Palestinian people and the realization of the right to development.

Further, on 10 March 2016 during the **Annual Report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General** Pakistan said its reintroduction of the death penalty was necessary as a deterrent and that it was following due process. It said the right to development needed a distinct focus and personality in the OHCHR rather than being lost to mainstreaming. It stated that the imbalance in favour of monitoring over advocacy, technical assistance and capacity building activities in the OHCHR had to be addressed. It said mandated activities should come out of the regular budget, as un-

earmarked contributions raised transparency issues. It asked the HC to comment on the human rights indicators methodology, the distribution of resources to the different procedures and the scope and mandate of regional hubs.

On 11 March 2016 during the **panel discussion on the progress in and challenges of addressing human rights issues in the context of efforts to end the HIV/AIDS epidemic by 2030** Pakistan said the focus had to be on getting AIDS services to all. It said the 2011 Political Declaration, which reaffirmed the need for countries to implement commitments according to national laws and development priorities and international human rights, remained the framework. It encouraged the international community to work to subsidize the production of HIV drugs to make them affordable to all.

Also on 11 March 2016 during **general debate** Pakistan said the people of Palestine and Jammu and Kashmir were still awaiting the realization of their right to self-determination. It said Jammu and Kashmir had to hold a free and open plebiscite and condemned restrictions on travel, detentions and abuses in the region. It said the international human rights machinery, included the Council, had to protect and promote the fundamental freedoms of the people of Jammu and Kashmir.

On 15 March 2016 during the **right of reply** Pakistan said its lifting of the moratorium on the death penalty complied with international human rights law and domestic legislation. It said it was looking at narrowing the scope of the death penalty and that this matter was a sovereign criminal justice issue. It also urged European colleagues to not be selective and address issues taking place closer to home.

On 16 March 2016 during **general debate** Pakistan outlined its domestic protections for the rights of minorities and said it was committed to promoting an inclusive society.

Also on 16 March 2016 during the **Consideration of Micronesia** Pakistan commended Micronesia for accepting a majority of recommendations and engaging with the UN and development parties.

Additionally, on 16 March 2016 during the **Consideration of Rwanda** Pakistan applauded the country for accepting a majority of recommendations including those from Pakistan and said Rwanda had shown a commitment to human rights and engagement with the human rights machinery.

On 17 March 2016 during the **Consideration of St. Lucia** Pakistan commended St. Lucia's participation and commitment to human rights.

Also on 17 March 2016 during the **Consideration of Oman** Pakistan said it appreciated Oman's engagement with the Council and the country's acceptance of a majority of recommendations, including those made by Pakistan.

Further, on 17 March 2016 during the **Consideration of Saint Kitts and Nevis** Pakistan thanked the country for accepting 58 recommendations despite challenges posed by lack of resources and the global financial crisis.



And, on 17 March 2016 during the **panel discussion of the Human Rights Council on the human rights dimensions of preventing and countering violent extremism** Pakistan on behalf of the OIC said it supported efforts to prevent terrorism and rejected attempts to associate any country, race, religion, culture or nationality with extremism. It stressed the need to address local and external driving factors, international cooperation, the political, economic, social and intellectual dimensions of extremism, the case of Palestine, the importance of countering extremist discourse, Islamophobia, the importance of integrating youth and women in the decision making process, and the need for interfaith dialogue.

On 18 March 2016 during the **panel discussion on the incompatibility between democracy and racism** Pakistan on behalf of the OIC said egalitarian, democratic values could not survive in a society where a doctrine of racial superiority exists. It said democracies had a responsibility to prevent and combat racism and religious intolerance. It stated that increasing racial and religious profiling in western societies had to be rejected and divisions addressed. It asked the panel if the rise in racism in Europe was perpetuated by insecurities caused by the economic downturn in the region. In a further statement on its own behalf Pakistan said xenophobic political discourse threatened democracy and that regressive values and prejudice were on the rise. It said the international community had a moral responsibility to take action and asked the panel how to deal with leaders of political parties propagating hatred and how the international community could prevent governments from using racism, xenophobia and related intolerances as instruments of state policy.

Also on 18 March 2016 during the **Consideration of Sao Tome and Principe** Pakistan commended the country's progress on the promotion and protection of human rights, engagement with the human rights mechanisms and acceptance of a majority of recommendations.

Additionally, on 18 March 2016 during **general debate** Pakistan on behalf of the Like-minded Group of countries said the UPR provided a successful space for dialogue, exchange of best practices and experience sharing because it was non-confrontational. It said the UPR's strength lied in recognizing diversity and that recommendations had to take circumstances into account, be achievable and in conformity with the aims of the process. It described the UPR as a mechanism of international cooperation and said the Council should recognize States' commitment to it. It hoped the principles and objectives of the UPR would continue to be observed.

And, on 18 March 2016 during the **Commemoration of the International Day for the Elimination of Racial Discrimination & Debate on the state of racial discrimination worldwide** Pakistan on behalf of the OIC said economic insecurity and weak leadership were leading to an upswing in racism, discrimination and violence. It suggested reviewing economic and trade policies to ensure equitable distribution of benefits, strengthening the legal framework addressing hate speech, strengthening international norms on migration through a rights-based approach, ending racial profiling policies, and promoting multicultural education. It said the OHCHR and the human rights mechanisms had to develop actionable measures to combat intolerance, discrimination, and violence.

On 21 March 2016 during the **Interactive Dialogue with the Special Rapporteur for human rights**

**in the Palestinian territories** Pakistan on behalf of the OIC said the SR's report highlighted blatant rights abuses by the occupiers in Palestine and condemned the obstruction that had prohibited him from fully carrying out his mandate. It said the UN should take action to bring Israel into compliance. It said every aspect of life in Palestine was being infringed upon, that this situation could not remain the exception to the responsibility to protect civilians from atrocities and legal breaches, and that Israel had to be held to account. It asked the SR what measures could be taken to reverse the systematic impunity for Israel's violations.

Also on 21 March 2016 during **general debate** Pakistan on behalf of the OIC said Israel blatantly ignored the UN and Human Rights Council mechanisms without consequence. It urged all states to participate in Item 7 of the agenda. It deplored that no progress had been made on the ICJ's Advisory Opinion of ten years prior regarding the wall, as well as the various human rights violations taking place in Palestine. It called on corporations to disengage from involvement in abuses and condemned violence by settlers. It also called for the release of arbitrarily detained Palestinians and demanded the end to the occupation of the Syrian Golan. It said Israel must be held accountable and perpetrators brought to justice. In a further statement on its own behalf Pakistan reiterated the human rights abuses in Palestine were unacceptable and that Israel had to be held to account. It urged the international community to ensure the right to self-determination of the Palestinian people.

Further, on 21 March 2016 during the **general debate** Pakistan on behalf of the OIC said the OHCHR had to ensure the right to development was given separate, recognizable strength and structure and not allow it to disappear in mainstreaming. It noted the Vienna Declaration and Plan of Action underlined that the protection and promotion of human rights should occur in line with the principles of the UN Charter and that the World Conference on Human Rights affirmed each State was free to choose the framework best suited to its national needs. It said the Council could only work effectively if it was free of politicization and double standards. It expressed concern at attempts to introduce concepts that had no foundation in international human rights instruments into the Council and UN system and said the imposition of value systems without regard for cultural or religious differences had to be avoided. In a further statement on its own behalf Pakistan underlined its efforts to protect economic, social and cultural rights and said it was committed to implementing the 2030 Development Agenda.

In addition, on 21 March 2016 during the **general debate** Pakistan on behalf of the OIC said it was concerned at the rise of political parties with Islamophobic tendencies in many parts of Europe and by the intolerance faced by Muslim migrants. It said it believed the securitization of human rights was contributing to the problem and underlined the importance of Council Resolution 16/18 and its action plan for addressing discrimination. It called for the plan to be implemented and for an observatory within the OHCHR to report violations.

Also on 21 March 2016 during the **general debate** Pakistan on behalf of the OIC said prioritizing some rights over others violated the Vienna Declaration and Plan of Action and was unacceptable. It reiterated its call to give separate space to the right to development and the need to avoid politicization and imposing value systems.

Further, on 21 March 2016 during the **general debate** Pakistan said it was committed to

eliminating racial discrimination. It expressed alarm at increasing Islamophobia and said it believed the legal framework prohibiting hate speech should be strengthened

### LINKS TO COUNTRY PLEDGES

Botswana: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/65/732&Lang=E](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/65/732&Lang=E)

India: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/65/758&Lang=E](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/65/758&Lang=E)

Namibia: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/68/522](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/68/522)

Pakistan: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/67/486](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/67/486)

Sierra Leone: [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/67/531](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/67/531)

## VOTING RECORDS OF COMMONWEALTH COUNTRIES AT THE UN HUMAN RIGHTS COUNCIL, SESSION 25-31

### 25<sup>TH</sup> REGULAR SESSION (3-28 MARCH 2014)

Resolution	Asian Group			African Group					W. Euro. Group
	India	Maldives	Pakistan	Botswana	Kenya	Namibia	Sierra Leone	South Africa	United Kingdom
Promoting reconciliation, accountability and human rights in Sri Lanka	ABST	NO	NO	YES	NO	ABST	YES	ABST	YES
Integrity of the judicial system	YES	ABST	YES	YES	ABST	YES	YES	YES	ABST
The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation	YES	YES	YES	YES	YES	YES	YES	YES	ABST
Promotion of a democratic and equitable international order	YES	YES	YES	YES	YES	YES	YES	YES	NO
Mandate of the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	YES	YES	YES	YES	YES	YES	YES	YES	NO
Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law	ABST	YES	YES	YES	YES	ABST	YES	YES	NO
The continuing grave deterioration of the human rights and humanitarian situation in the Syrian Arab Republic	ABST	YES	ABST	YES	ABST	ABST	YES	ABST	YES
Situation of human rights in the Islamic Republic of Iran	NO	-	NO	YES	ABST	ABST	ABST	ABST	YES
Situation of human rights in the Democratic People's Republic of Korea	ABST	YES	NO	YES	ABST	ABST	YES	ABST	YES
Right of the Palestinian people to self-determination	YES	YES	YES	YES	YES	YES	YES	YES	YES
Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan	YES	YES	YES	YES	YES	YES	YES	YES	YES
Human rights situation in Occupied Palestinian Territory, including East Jerusalem	YES	YES	YES	YES	YES	YES	YES	YES	YES
Follow-up to the report of the United Nations Independent International Fact-Finding Mission on the Gaza Conflict	YES	YES	YES	YES	YES	YES	YES	YES	YES
Human rights in the occupied Syrian Golan	YES	YES	YES	YES	YES	YES	YES	YES	ABST
The promotion and protection of human rights in the context of peaceful protests	NO	YES	NO	YES	NO	ABST	YES	NO	YES

26<sup>TH</sup> REGULAR SESSION (10<sup>TH</sup> -27<sup>TH</sup> JUNE 2014)

Resolution	Asian Group			African Group					W. Euro. Group
	India	Maldives	Pakistan	Botswana	Kenya	Namibia	Sierra Leone	South Africa	United Kingdom
The question of the death penalty	NO	ABST	NO	NO	ABST	YES	YES	YES	YES
Mandate of the Independent Expert on human rights and international solidarity	YES	YES	YES	YES	YES	YES	YES	YES	NO
Elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights	YES	ABST	YES	ABST	YES	YES	ABST	YES	NO
Protection of the family	YES	YES	YES	YES	YES	YES	YES	YES	NO
Human rights and the regulation of civilian acquisition, possession and use of firearms	YES	YES	YES	YES	YES	YES	YES	YES	YES
The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic	ABST	YES	ABST	YES	-	ABST	YES	ABST	YES
Situation of human rights in Belarus	NO	YES	ABST	YES	ABST	ABST	YES	ABST	YES
Promotion and protection of the human rights of peasants and other people working in rural areas	YES	ABST	YES	ABST	YES	YES	YES	YES	NO
Cooperation and assistance to Ukraine in the field of human rights	ABST	YES	ABST	YES	ABST	ABST	YES	ABST	YES

27<sup>TH</sup> REGULAR SESSION (8<sup>TH</sup> TO 26<sup>TH</sup> SEPTEMBER 2014)

Resolution	Asian Group			African Group					W. Euro. Group
	India	Maldives	Pakistan	Botswana	Kenya	Namibia	Sierra Leone	South Africa	United Kingdom
The right to development	YES	YES	YES	YES	YES	YES	YES	YES	ABST
Mandate of the Independent Expert on the promotion of a democratic and equitable international order	YES	YES	YES	YES	YES	YES	YES	YES	NO
The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination	YES	YES	YES	YES	YES	YES	YES	YES	NO
The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic	ABST	YES	ABST	YES	ABST	ABST	YES	ABST	YES
Promotion of the right to peace	YES	YES	YES	YES	YES	YES	YES	YES	NO
Human rights and unilateral coercive measures	YES	YES	YES	YES	YES	YES	YES	YES	NO
Effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights: the activities of vulture funds	YES	YES	YES	YES	YES	YES	YES	YES	NO
Human rights, sexual orientation and gender identity	ABST	NO	NO	NO	NO	ABST	ABST	YES	YES

28<sup>TH</sup> REGULAR SESSION (2 TO 27<sup>TH</sup> MARCH 2015)

Resolution	Asian Group				African Group							W. Euro. Group
	Bangladesh	India	Maldives	Pakistan	Botswana	Ghana	Kenya	Namibia	Nigeria	Sierra Leone	South Africa	United Kingdom
Composition of staff of the Office of the United Nations High Commissioner for Human Rights	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
Ensuring use of remotely piloted aircraft or armed drones in counter-terrorism and military operations in accordance with international law, including international human rights and humanitarian law	ABST	ABST	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	ABST
Renewal of the mandate of the open-ended intergovernmental working group to consider the possibility of elaborating an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
Human rights, democracy and the rule of law	YES	YES	YES	YES	YES	YES	YES	YES	ABST	YES	ABST	YES
Effects of terrorism on the enjoyment of human rights	YES	YES	YES	YES	ABST	ABST	YES	ABST	YES	YES	YES	NO
The continuing grave deterioration in the human rights and humanitarian situation in the Syrian Arab Republic	ABST	ABST	YES	ABST	YES	YES	ABST	ABST	ABST	YES	ABST	YES
Situation of human rights in the Islamic Republic of Iran	NO	NO	ABST	NO	YES	ABST	ABST	ABST	ABST	ABST	ABST	YES
Situation of human rights in the Democratic People's Republic of Korea	ABST	ABST	YES	ABST	YES	YES	ABST	ABST	ABST	YES	ABST	YES
Human rights in the occupied Syrian Golan	YES	YES	YES	YES	ABST	ABST	YES	YES	YES	ABST	YES	ABST
Right of the Palestinian people to self-determination	YES	YES	YES	YES	YES	ABST	YES	YES	YES	YES	YES	YES
Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Human rights situation in the Occupied Palestinian Territory, including East Jerusalem	YES	YES	YES	YES	ABST	YES	YES	YES	YES	YES	YES	YES

29<sup>TH</sup> REGULAR SESSION (JUNE 15<sup>TH</sup> TO 3<sup>RD</sup> JULY 2015)

Resolution	Asian Group				African Group							W. Euro. Group
	Bangladesh	India	Maldives	Pakistan	Botswana	Ghana	Kenya	Namibia	Nigeria	Sierra Leone	South Africa	United Kingdom
Human rights and international solidarity	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
Human rights and the regulation of civilian acquisition, possession and use of firearms	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	ABST
The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic	ABST	ABST	YES	ABST	YES	YES	ABST	ABST	ABST	YES	ABST	YES
Situation of human rights in Belarus	ABST	NO	YES	ABST	YES	ABST	ABST	ABST	ABST	YES	ABST	YES
Protection of the family: contribution of the family to the realization of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO	NO
Cooperation and assistance to Ukraine in the field of human rights	ABST	YES	YES	YES	YES	YES	YES	YES	ABST	YES	ABST	YES
Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem	YES	ABST	YES	YES	YES	YES	ABST	YES	YES	YES	YES	YES

30<sup>TH</sup> REGULAR SESSION (14<sup>TH</sup> SEPTEMBER TO 2<sup>ND</sup> OCTOBER 2015)

Resolution	Asian Group				African Group							W. Euro. Group
	Bangladesh	India	Maldives	Pakistan	Botswana	Ghana	Kenya	Namibia	Nigeria	Sierra Leone	South Africa	United Kingdom
Human rights and unilateral coercive measures	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
The question of the death penalty	NO	NO	ABST	NO	NO	ABST	ABST	YES	NO	YES	YES	YES
The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
The grave and deteriorating human rights and humanitarian situation in the Syrian Arab Republic	ABST	ABST	YES	ABST	YES	YES	ABST	ABST	ABST	YES	ABST	YES
Promotion of the right to peace	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
Promotion and protection of the human rights of peasants and other people working in rural areas	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	ABST
Human rights and preventing and countering violent extremism	YES	YES	YES	ABST	YES	YES	YES	ABST	YES	YES	NO	YES
From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance	YES	YES	YES	YES	YES	YES	YES	NO*	YES	YES	YES	NO
Forum on people of African descent in the diaspora	YES	YES	ABST	YES	YES	YES	YES	YES	YES	YES	YES	NO
Right to development	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
Promotion of a democratic and equitable international order	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO

\* The delegation of Namibia subsequently stated that there had been an error in its voting and that it had intended to vote in favour of the draft text.

31<sup>ST</sup> REGULAR SESSION (29<sup>TH</sup> FEBRUARY TO 24<sup>TH</sup> MARCH 2016)

Resolution	Asian Group			African Group						W. Euro. Group
	Bangladesh	India	Maldives	Botswana	Ghana	Kenya	Namibia	Nigeria	South Africa	United Kingdom
Composition of staff of the Office of the United Nations High Commissioner for Human Rights	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
The effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	YES	YES	YES	YES	YES	YES	YES	YES	YES	NO
The human rights situation in the Syrian Arab Republic	ABST	ABST	YES	YES	YES	ABST	ABST	ABST	ABST	YES
Situation of human rights in the Islamic Republic of Iran	NO	NO	ABST	YES	ABST	NO	ABST	ABST	NO	YES
The negative impact of the non-repatriation of funds of illicit origin to the countries of origin on the enjoyment of human rights, and the importance of improving international cooperation	YES	YES	YES	YES	YES	YES	YES	YES	YES	ABST
Human rights in the occupied Syrian Golan	YES	YES	YES	ABST	YES	YES	YES	YES	YES	YES
Effects of terrorism on the enjoyment of all human rights	YES	YES	YES	YES	YES	YES	ABST	YES	NO	NO
Protecting human rights defenders, whether individuals, groups or organs of society, addressing economic, social and cultural rights	YES	YES	YES	YES	YES	ABST	ABST	NO	YES	YES
Human rights situation in the Occupied Palestinian Territory, including East Jerusalem	YES	YES	YES	ABST	ABST	YES	YES	YES	YES	YES
Ensuring accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem	YES	ABST	YES	ABST	ABST	YES	YES	YES	YES	YES
The promotion and protection of human rights in the context of peaceful protests	ABST	YES	YES	YES	YES	YES	ABST	ABST	ABST	YES
Commemoration of the thirtieth anniversary of the Declaration on the Right to Development	YES	YES	YES	YES	YES	YES	YES	YES	YES	ABST