



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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REFERENCE: CAT/Follow-up

9 October 2019

Excellency,

In my capacity as Rapporteur for Follow-up to Concluding Observations of the Committee against Torture, I have the honor to refer to the follow-up to the examination of the initial report of Pakistan, in accordance with the Guidelines for follow-up to concluding observations (CAT/C/55/3).

At the end of the 60th session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/PAK/CO/1, para. 46) requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 7 (c), 9 (c) and 11 (a) of the concluding observations.

On behalf of the Committee, allow me to express appreciation for your letter of 31 May 2019 providing your Government's response on the above-mentioned paragraphs (CAT/C/PAK/CO/1/Add.1) and to make the following comments:

Allegations of widespread use of torture by the police (para. 7 (c))

The Committee appreciates the information provided by the State party about legislation under consideration relating to the definition and punishment of the offence of torture. It also takes note of the information included in the follow-up replies regarding the imposition of disciplinary measures against law-enforcement officers between 2013 and 2017 for their involvement in torture, deaths in custody, misuse of official power, misbehaviour and illegal confinement of persons. However, it regrets not having received detailed statistical data on the number of prosecutions, convictions and sentences handed down in cases of torture and other ill-treatment since the adoption of the concluding observations. In that regard, the Committee draws the attention of the State party to reports that there is a lack of prosecution of torture cases (see submission by Justice Project Pakistan and World Organization against Torture) (1/C).

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Inadequate investigation of complaints of torture: Police oversight bodies (para. 9 (c))

The Committee takes note of the extensive information provided by the State party on the existing police oversight bodies, including the public safety commissions, but regrets that the follow-up replies did not indicate whether the State party has taken any new specific measures to ensure their effective functioning at the district and provincial levels (2/C).

Impunity for acts of torture by military and paramilitary forces and intelligence agencies (para. 11 (a))

The Committee also regrets not having received any information regarding the measures taken by the State Party to ensure that all allegations of torture or ill-treatment by members of the State party's military forces, intelligence forces and paramilitary forces are promptly, thoroughly and impartially investigated by a fully independent civilian body, and that perpetrators are duly prosecuted and, if found guilty, convicted with penalties that are commensurate with the grave nature of their crimes. In this connection, the Committee notes with concern that the Actions (in Aid of Civil Power) Regulation, 2011, provides for detention by the army without warrants or judicial supervision and indefinite detention in military internment centres (see CCPR/C/PAK/CO/1, para. 19) (0/D).

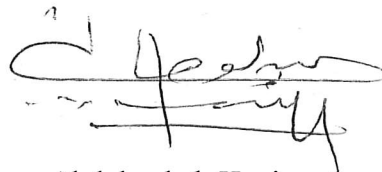
Implementation plans (para. 46)

The Committee regrets that the State party has not provided information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations included in its concluding observations (C).

The Government of Pakistan is encouraged to provide additional information, if any, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the initial report of Pakistan.

The Committee looks forward to a continued constructive dialogue with the authorities of Pakistan on the implementation of the Convention.

Accept, Excellency, the assurances of my highest consideration.



Abdelwahab Hani
Rapporteur for Follow-up to Concluding Observations
Committee against Torture