

ethnic, racial or linguistic groups living in the country, including non-citizens; lack of clarity on the status of the various languages spoken in the country in terms of their use in the courts; and absence of information on the legislative measures related to protection against and remedies for victims of racial discrimination. The Committee stated that "the absence of instances of judicial cases concerning acts of racial discrimination cannot be accepted as a proof of the absence of such discrimination."

The Committee recommended that the government:

- ▶ broaden the basis on which discrimination is prohibited to include race, colour, descent, national or ethnic origin;
- ▶ provide in its next report more information on the functions and powers of the Ministry of Human Rights and the Commission on Human Rights;
- ▶ provide in its next report specific information on the Federally Administered Tribal Areas and the North-West Frontier Province;
- ▶ explore the possibility of granting ethnic and linguistic groups the same status as that of religious minorities to ensure their full protection under national laws and institutions relating to minorities as well as relevant international human rights instruments;
- ▶ include in its next report information on the ethnic and racial origin of the population, measures taken to bring national law into line with provisions in the Covenant related to the prohibition of racist organizations and activities, measures taken with regard to the rights to equality before the law, security of person, right to participation including through elections and economic, social and cultural rights;
- ▶ provide in its next report information on which of the main languages spoken in Pakistan may be used in the courts and in relations with the administration, legislative and other measures on protection and remedies, including on the availability of the right to seek reparation or satisfaction for any damage suffered as a result of racial discrimination and examples of cases where reparation was sought from the courts and the courts' decisions in those cases; and,
- ▶ continue to pay attention to the establishment of training programmes aimed at familiarizing law enforcement officials, judges, magistrates, teachers and social workers with the standards of the Convention.

Discrimination against Women

Acceded: 12 March 1996.

Pakistan's initial report was due 11 April 1997.

Reservations and Declarations: General declaration; paragraph 1 of article 29.

Rights of the Child

Signed: 20 September 1990; ratified: 12 November 1990.

Pakistan's second periodic report was due 11 December 1997.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4/Add.1, Decision 10/1996)

The Working Group (WG) on Arbitrary Detention considered the case of six individuals who were among some 130 members of the Ahmadi religious community in Pakistan who had been detained and accused of blasphemy under Section 295 C of the Pakistan Penal Code. The WG noted that, in 1974, the Ahmadi religion was declared non-Muslim because Ahmadis proclaim their faith in a prophet after Muhammad. The followers of the Ahmadi religion have suffered physical attacks and discrimination without being protected by the authorities. The WG also noted that Pakistan's Supreme Court reportedly declared the Ahmadi faith to be blasphemous, in keeping with Ordinance XX (under which Ahmadis are prohibited from practising or calling their faith Islam).

The government did not respond to the WG's request for information on the six people whose cases had been transmitted. In the absence of a response and/or clarification from the government, the WG decided that the six individuals had been deprived of their freedom merely for exercising their legitimate right to freedom of religion and conscience, guaranteed by article 18 of the Universal Declaration of Human Rights. On that basis, the WG declared the detentions to be arbitrary and in contravention of article 18 of the UDHR.

Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, paras. 260–267)

The Working Group (WG) transmitted seven newly reported cases of disappearance to the government, four of which reportedly occurred in 1996. The majority of the 60 cases of disappearance reported to the WG over the years concern members or sympathizers of the political party Muhajir Qaomi Movement (MQM), who were allegedly arrested in Karachi by the police or security forces during May and June 1995. Most of the other reported cases allegedly occurred in 1986 and between 1989 and 1991, and concerned persons of Afghan nationality with refugee status in Pakistan, most of whom were said to be affiliated with the Harakate Inqilabi Islami party of Afghanistan.

The report notes that according to information received, law enforcement personnel such as the Inter-Service Intelligence and the police arrest opponents of the government without respecting the legal requirements for arrest and detention. Some of the people considered as disappeared are allegedly held in unacknowledged detention. It was also reported that the paramilitary Rangers, with the acquiescence of the security forces, have demanded up to 200,000 rupees from the families before disclosing information on the fate of disappeared relatives and that police officials threaten and harass family members who file complaints or writs of habeas corpus with the judiciary. The report further observes that the perpetrators of disappearances act and operate with impunity and that no charges are being brought against them. There are 56 cases of disappearance in Pakistan which remain to be clarified.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 15, 16, 17, 18, 32, 33, 35, 56, 66, 72, 89; E/CN.4/1997/60/Add.1, paras. 368–375)

The report of the Special Rapporteur (SR) notes that a multitude of reports indicating the widespread occurrence of violations of the right to life in Pakistan continued to be received throughout 1996, with a significant number of them