

PAKISTAN

Special Action or Decisions taken Concerning Reporting

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Chapter II. Methods of Work of the Committee under article 40 of the Covenant and cooperation with other United Nations Bodies

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A. Recent Developments and Decisions on Procedures

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3. Statement on Pakistan

48. During its 101st session, the Committee made a statement on the reservation made by Pakistan to article 40 (reporting process). The Committee stated that Pakistan had ratified the International Covenant on Civil and Political Rights on 23 June 2010, with the following reservations:

“[The] Islamic Republic of Pakistan declares that the provisions of Articles 3, 6, 7, 18 and 19 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan and the Sharia laws.

“The Islamic Republic of Pakistan declares that the provisions of Article 12 shall be so applied as to be in conformity with the Provisions of the Constitution of Pakistan.

“With respect to Article 13, the Government of the Islamic Republic of Pakistan reserves its right to apply its law relating to foreigners.

“[The] Islamic Republic of Pakistan declares that the provisions of Article 25 shall be so applied to the extent that they are not repugnant to the Provisions of the Constitution of Pakistan.

“The Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 40 of the Covenant.”

49. The Committee further stated that the Covenant had entered into force for the State party on 23 September 2010. Under Article 40, paragraph 1, the States parties undertake to submit reports on the measures they have adopted which give effect to the rights recognized therein and on the progress made in the enjoyment of those rights, (a) within one year of the entry into force of the

present Covenant for the States concerned, and (b) thereafter whenever the Committee so requests. Article 40 gives the Human Rights Committee the competence to consider and study reports submitted by States parties. This competence is of critical importance for the performance of the Committee's monitoring functions and essential to the *raison d'être* of the Covenant. Under rule 70 of its rules of procedure, the Committee can examine a State party's actions under the Covenant in the absence of a report. The initial report of Pakistan is due, according to article 40, paragraph 1 (a), of the Covenant, by 23 September 2011. The Secretariat was instructed to convey this statement to the State party.

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