



The Right Honourable Nawaz Sharif, The Prime Minister of Pakistan
Constitution Ave
Islamabad
Pakistan

Sent via email: info@pmo.gov.pk

Tuesday 25 October 2016

Dear Prime Minister,

We are writing to voice our concerns about the use of powers under the Fourth Schedule of the Anti-Terrorism Act (ATA) 1997.

We understand that a number of different local governments in Pakistan have used the powers under the Fourth Schedule of ATA to put individuals from various organisations on a list, which has serious implications on their human rights. While the stated aim of putting these people on a list is national security, we have seen gross abuses of the power.

The list of names currently comes to over 2000 people according to some reports and includes people who have died, people who are old and frail as well as people who have no connection to terrorism or extremism.

The powers under the Fourth Schedule are extensive and draconian. Individuals who are put on the list under this power have had their bank accounts closed, their computerised national identity cards (CNICs) blocked, travel restrictions imposed, and cannot visit many public places including schools, colleges, universities, railway stations, bus stands, telephone exchanges, television stations, radio stations and other similar public places. They cannot be present at any public meeting or procession, or even in an enclosed location in connection with any public event, festival or other celebration.



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Islamic Human Rights Commission
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These restrictions are a severe limitation on a person's freedoms and such unfettered powers erode the human rights and civil liberties of all Pakistanis.

For this reason, we urge you to consider the repeal the powers under the Fourth Schedule to protect the human rights of those affected.

If the powers are considered essential, then to safeguard the rights of those affected, the government should implement the following recommendations immediately:

1. The government should issue guidance that clearly states the criteria for putting someone's name on the list under the Fourth Schedule. It is imperative that the public know what actions / behaviour will lead to sanctions against them.
2. If a person's name is put on the list, they should be notified in writing immediately.
3. It is essential that any name placed on the list is open to judicial review and scrutiny. This will avoid abuses of the power. Once a name is placed on the list, the government must obtain an interparty court order, within one month, for the name to remain on the list. If they are unable to obtain a court order, the name must be removed automatically.
4. There should be an annual review of the names on the list, and people should be removed if they are no longer a threat. People should not be left on the list indefinitely, without review or the right to challenge the decision to keep their name on the list.

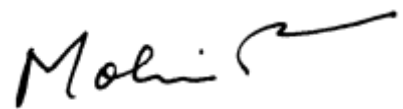
Without safeguards being imposed, the Fourth Schedule of the ATA will be abused and innocent people will continue to have their human rights violated.

We urge you to take swift action and look forward to your response.

Yours truly,



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Massoud Shadjareh
UK Secretariat



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Mohiudeen Abdul Kader
Malaysia Secretariat