



PERMANENT MISSION OF PAKISTAN
TO THE UNITED NATIONS AND
OTHER INTERNATIONAL ORGANIZATIONS

56 rue de Moillebeau

1209 Geneva

Tel: (4122) 7491930

Fax: (4122) 734 8085

E-mail: mission@pakungeneva.pk

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The Permanent Mission of the Islamic Republic of Pakistan presents its compliments to the Special Procedures Branch of the Office of High Commissioner for Human Rights (OHCHR), and in continuation of its response sent on 16 July 2020 on Mr. Idris Khattak's case, has the honour to submit Government of Pakistan's second response to the joint communications of 11 June and 31 August 2020.

The Permanent Mission of the Islamic Republic of Pakistan avails itself of the opportunity to renew to the Special Procedures Branch of OHCHR the assurances of its highest consideration.



Special Procedures Branch,
Office of the High Commissioner for Human Rights,
Geneva

Attention:

Ms. Beatriz Balbin, Chief

Response of the Government of Pakistan on Mr. Idris Khattak's case

Mr. Idris Khattak's case is being pursued in full compliance with due-process rights, guarantees and safeguards, which are embedded in Pakistan's national legal and judicial system, in line with international standards.

The case is neither of enforced disappearance nor of arbitrary/incommunicado detention. Mr. Khattak was produced in front of a judicial magistrate and the case against him is being pursued in the Trial Court under relevant national laws.

Mr. Khattak is being tried on charges of espionage and unlawful activities, prejudicial to Pakistan's national security. These activities also severely undermine the safety and right to life of citizens of Pakistan.

All due process rights and guarantees have been made available to Mr. Khattak, in accordance with Pakistan's national legal framework and its international human rights obligations. Renowned Barrister Mr. Khalid Anwar, advocate Supreme Court of Pakistan, who had served as Federal Minister of Law, Justice and Human Rights (1997-1999) and as Member of the Senate of Pakistan (1997-2003), has met him, and is representing him in the Court.

Family of Mr. Khattak, including his brother and daughter, has also met him.

Mr. Khattak has been provided all necessary medical facilities. He is in good health. As per Court's procedure, medical examination is done each time the accused appears before the Court. Medical reports of Mr. Khattak are satisfactory.

Moreover, Mr. Khattak has the legal right to bring to the Court's notice any instance of ill-treatment/torture during custody or any medical issue. Till date, Mr. Khattak has not brought forward any such allegation or any unattended medical problem.

Pakistan's judicial system provides necessary oversight of the Higher Courts over lower tiers of judiciary. Moreover, Mr. Khattak has the right to appeal against the judgment of the Trial Court, if he so desires, with the High Court and subsequently, with the Supreme Court of Pakistan. Furthermore, Pakistan's legal system also provides for Pardon by the President of Pakistan. All these judicial guarantees and due process mechanisms have been institutionalized to uphold and protect basic rights and freedoms of Pakistan citizens.

The above facts substantiate that Mr. Khattak's case is being dealt on merit, and in accordance with national laws and international standards.