

110TH CONGRESS
2^D SESSION

H. RES. 1044

Condemning the dismissal of the Supreme Court in Pakistan and calling
for their reinstatement by the Government of Pakistan.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 2008

Ms. ZOE LOFGREN of California (for herself and Mr. DELAHUNT) submitted
the following resolution; which was referred to the Committee on Foreign
Affairs

RESOLUTION

Condemning the dismissal of the Supreme Court in Pakistan
and calling for their reinstatement by the Government
of Pakistan.

Whereas on March 9, 2007, President Pervez Musharraf of
Pakistan suspended the Chief Justice of Pakistan,
Iftikhar Muhammad Chaudhry;

Whereas this removal triggered months of protests by hun-
dreds of Pakistani lawyers;

Whereas on July 20, 2007, the Supreme Court of Pakistan
found Chaudhry's removal unconstitutional and rein-
stated him as Chief Justice;

Whereas following his imposition of emergency rule on No-
vember 3, 2007, President Musharraf required Supreme
Court justices to take a new oath of office under the Pro-

visional Constitution Order and dismissed seven judges, including the Chief Justice, who refused to take this new oath;

Whereas the principles of constitutional order and the rule of law are prerequisites to any functioning democracy;

Whereas an independent judiciary and free elections are equally vital as fundamental foundations of democracy;

Whereas section 699F(b)(3)(D) of the Consolidated Appropriations Act, 2008 (Public Law 110–161), withholds \$50,000,000 of Foreign Military Financing for Pakistan pending the restoration of an independent judiciary; and

Whereas these actions by President Musharraf undermine democratic governance and rule of law in Pakistan and thus reduce the ability of the Government of Pakistan and the Government of the United States to effectively fight against al Qaeda and Taliban terrorists that threaten United States interests in South Asia: Now, therefore, be it

1 *Resolved*, That the United States House of Rep-
2 resentatives—

3 (1) commends members of the legal profession
4 in Pakistan as well as opposition politicians, human
5 rights activists, and independent journalists for their
6 courageous opposition to the removal of Chief Jus-
7 tice Chaudhry, their principled leadership in defend-
8 ing the Constitution of Pakistan, and promoting the
9 rule of law;

1 (2) welcomes public statements from Pakistan's
2 new civilian leaders that they intend to restore all
3 judges dismissed after November 3, 2007, to office;
4 and

5 (3) calls on the Government of Pakistan, con-
6 sistent with section 699F(b)(3)(D) of the Consoli-
7 dated Appropriations Act, 2008 (Public Law 110-
8 161), to restore to their positions Chief Justice
9 Iftikhar Muhammad Chaudhry and all Supreme
10 Court and high court justices and other members of
11 the legal profession in Pakistan who were removed
12 from office since the imposition of emergency rule,
13 and to respect the independence of the Pakistani ju-
14 diciary .

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