

PARLIAMENT WATCH – PAKISTAN*

NOVEMBER 2010



* Conceptualised, implemented and funded by South Asians for Human Rights; Research carried out by Kishwar Sultana and Kashif Javaid

Proceedings of the National Assembly of Pakistan

November 2010

The 26th session of the 13th Constituent Assembly of Pakistan continued for nine working days (November 1-12, 2010) focusing on business such as legislation, calling attention notices, motions, committee reports, resolutions, discussions on issues of public interest and human rights.

In the first week of the session, the Standing Committee on Women Development presented its report on the Bill to prohibit certain practices leading to exploitation and discrimination against womenfolk [The Prevention of Anti-Women Practices (Criminal Law Amendment) Bill of 2008]. This Bill aims to check those customs, traditions and practices that have taken root in society and are both un-Islamic and inhumane.

The Bill prevents the use of women to settle a dispute or to pay off an outstanding debt, and proposes severe punishments for the violators. It also prohibits other social evils like depriving women of their inheritance and contracting them in to forced marriages. It emphasizes on donning away inhumane practices and customs¹ from the country and deals out stern punishments to those who are responsible for inhuman acts.

The Bill also deals with matters relating to dissolution of marriage in the absence of a husband and prohibition of marriage with the Holy Quran. It says that those responsible for compelling or facilitating marriage of a woman with the Holy Quran shall be punished with imprisonment of description which may not be less than three years and shall also be liable to a fine of Pakistani Rs 500,000. Women are married to the Holy Quran in various parts of the Sindh (Pakistan) province aiming to save family's property from going into other family's control. This proposed legislation prohibits depriving women from inheriting property and suggests imprisonment of seven years and/or Rs 1 million fine for violations.

Those responsible for forced marriages shall also be liable to punishment under the Bill with imprisonment not less than three years and a fine of Rs 500,000. Similarly, under this proposed law traditional practices like giving a female in marriage or otherwise in *badla-e-sulh*, *vani*² or *sawara* are prohibited. Anyone responsible for this offence shall be liable for punishment with imprisonment of description for a term which may be no less than three years and shall also be liable to a fine of Rs 500,000.

¹14-year-old refuses to honour *wani* arrangement

<http://tribune.com.pk/story/54958/14-year-old-refuses-to-honour-wani-arrangement/>

²*Vani* is a child marriage custom in tribal areas of Pakistan. Besides tribal areas, it is widely followed in Punjab (Pakistan). This custom is tied to blood feuds among the different tribes and clans where the young girls are forcibly married to the members of different clans in order to resolve the feuds. The *Vani* could be avoided if the clan of the girl agrees to pay money, called *Deet*.

Sawara is the same tradition of forced marriage of girls to resolve conflict generated through murders. *badal-e-sulh* means compensation for a compromise or giving something in exchange to resolve a dispute

An opposition party in the National Assembly-Pakistan Muslim League Quaid-e-Azam (PMLQ) - had tabled this Bill and is seeking the government's support in getting this legislation passed. It is hoped that the Bill could deter crimes against women. This Bill also proposes penalties for dowry issues and acid throwing.

Passing of this Bill and then getting it implemented with letter and spirit would help raise the status of women in Pakistani society. It would also help in putting an end to highly inhuman traditions like marriages with Quran, settling disputes by giving women in marriage and depriving them of their right of inheritance.

The National Parliament also unanimously passed a resolution on human rights violations in the Occupied Kashmir and expressed great concern over the plight of innocent Kashmiris. The Resolution condemns India's use of force against the people of occupied Kashmir and urges India to stop killing innocent people. India should withdraw its forces from the said land, cancel black laws, lift curfew, stop media blackout, and release Kashmiri leaders and thousands of other youngsters from illegal detention, it demanded.

The House, through this resolution, demanded India to respect religious freedom, not to lock mosques and to let the International Human Rights Organizations come in to the Occupied Kashmir to observe the situation.

It said that the people of Kashmir are struggling for their freedom. Struggling for freedom in light of the UN resolutions and the Universal Human Rights Declaration is their basic right. Pakistan strongly favours the struggle of the people of Occupied Kashmir. Adding more, the Resolution said that Pakistan will continue its diplomatic, political and moral support to the people of Kashmir. It said that Occupied Kashmir under the UN resolutions is a disputed territory and requires a solution. It is not an internal matter of India, the resolution said adding that, "Pakistan appeals to the International Community not to keep silent over the plight of Kashmiris and to exert pressure over India to stop injustice and cruelties against the people of Occupied Kashmir and to act upon the UN resolution"³

³ Resolution 80 (1950) concerning the India-Pakistan question, submitted by the Representatives of Cuba, Norway, United Kingdom and United States and adopted by the Security Council on March 14, 1950