

PARLIAMENT WATCH – PAKISTAN*

AUGUST 2010



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

Meeting of the Standing Committee on Human Rights August 2010

It was again the Standing Committee on Human Rights of the National Assembly (NA) of Pakistan that met in August 2010 at the Parliament House and focused on various issues connected with human rights. The Committee in its meeting on August 3, 2010 expressed deep sorrow over the sad incident of the plane crash at Islamabad that resulted in the death of more than 152 passengers.¹ It also regretted over the target killings in Karachi. It condemned the incident of Plane crash and appealed to the Government of Pakistan on the automation and computerization of the landing and the take off of planes in all airports of Pakistan.

Condemning the target killings in Karachi, it proposed that new scientific methods, cameras etc and security equipment should be installed as security measures, instead of deputing uniform civil and armed persons. It expressed concern over hoarding of arms/ammunition in the country and appealed to revise the process of issuance of licenses declaring it essential for the safety of citizens, their basic right. The Committee also approved, with certain amendments, the National Commission on Human Rights (NCHR) Bill, 2008.

It also made amendments to the Prisons Act, 1984 and proposed a medical checkup of prisoners within 24 hours of their arrival in jail, provision of a kit containing instructions of their rights and duties, such as basic necessities and facilities of daily life, legal aid etc, issuance of computerized medical record and health card to prisoners, provision of jail identity card containing history and record of remissions, maintenance of computerized finger prints and central data bank of every prisoner and its linkage with National Database Registration Authority (NADRA), police department and etc. It recommended for the provision of basic facilities of toilets, sewerage system, geyser, clean drinking water plant, utility stores, barber shop, laundry shop, post office, telephone booth, indoor and outdoor sports facilities and television in all jails.

It also recommended the establishment of sheds for visitors of jails, increase in duration of meetings between visitors and inmates, transfer of mentally ill prisoners to Mental Hospitals, production of prisoners before the Judge on the hearings instead of sitting in a police van or receiving new date of hearing by the Reader of the Judge, providing facility of ambulance, X-ray machine, ultrasound and lab. The Committee on Human Rights also recommended that at least one doctor for 500 inmates should be available, Jail Departments should make its own recruitment of medical/paramedical staff, the family of sick inmates should be informed regularly, prison transportation should be improved, prisoners who satisfactorily complete 1/3rd of their duration of imprisonment should be sent on pay role, all discriminations in award of remission should be abolished, bring change in the mind set of prisoners and Jail staff Seminars and trainings should be held regularly. It also urged on managing open space for prisoners, provision of speedy justice, arrangements for adult literacy, rationalization of sentence of 25-years of imprisonment as per international norms and practices. The committee also recommended the removal/abolishing of malpractices in jails and construction of family suits of two rooms with kitchen and bathroom within jail premises.

¹Plane crash in Islamabad kills more than 140, <http://www.kashmirnewswatch.com/plane-crash-in-islamabad-kills-more-than-140/>

It is equally important to say that the Committee's recommendation for jails reforms should be appreciated as conditions of prisoners in almost every prison of the country is pathetic and this is denial to basic human rights. Situation of children and women is even more pathetic² for multiple reasons. Even prisoners launch protests in jails against the non availability of basic facilities. Lack of health facilities, physical torture, substandard food and an unhygienic environment resulted in death of 19 prisoners in a jail.³ Delay in trials of prisoners⁴ multiplied with torture by jail authorities on prisoners is a common practice. Almost every jail in Pakistan lacks proper facilities⁵ causing hardships particularly to female prisoner who are pregnant, to deliver.⁶ These jails were heavily overcrowded⁷. In such a grave situation, jail reforms are desperately needed.

The Committee in its meetings also raised and discussed the issue of women and child rights. It recommended for effective legislation for safety of domestic/working women and sexual harassment besides urging implementation of available laws in letter and spirit. It urged that issues of honour killing should be taken up seriously by the concerned departments. Provincial governments, Ministry of Interior, civil society, media and religious clerics should hold special programs to curb domestic violations, abuses and beatings to women. It recommended for better maternity conditions for women and said that a woman who completes 20 percent of tenure of imprisonment in Jail should be released on payroll. It urged the Ministry of Social Welfare and Special Education and the Ministry of Foreign Affairs to take up the matter of using minor children in camel riding at local level and in the Gulf countries with the concerned quarters.

It is important to note that the matter relating to setting up the National Commission on Human Rights came days after an annual report by the New York-based Human Rights Watch (HRW) that said that 2010 was the worst year for Pakistan in preserving human rights, with forced disappearances at an alarming level and minorities being targeted by extremists.⁸ The National Commission on Human Rights will be administratively and financially fully autonomous and have the powers to summon any public or private department and investigate the matter relating to violation of human rights. It would be empowered to issue directions to the Government of Pakistan regarding matters relating to human rights⁹. As far as the establishment of this commission in Pakistan was concerned, it is a need of the hour to have such a body of authority

²Juvenile prisoners suffered more,

http://www.dailytimes.com.pk/default.asp?page=2010%5C01%5C19%5Cstory_19-1-2010_pg12_4

³Torture, lack of health facilities: 19 prisoners died in a Jail,

http://www.dailytimes.com.pk/default.asp?page=2009%5C04%5C20%5Cstory_20-4-2009_pg7_34

⁴delay in trials causing disorder in jails,

http://www.dailytimes.com.pk/default.asp?page=2006%5C05%5C05%5Cstory_5-5-2006_pg7_26

⁵Five Punjab jails still without basic facilities,

http://www.dailytimes.com.pk/default.asp?page=2008%5C07%5C17%5Cstory_17-7-2008_pg7_37

⁶Jails lack facilities for pregnant prisoners, http://www.dailytimes.com.pk/default.asp?page=story_9-11-2004_pg7_33

⁷LHC seeks government reply on overcrowding in prison cells,

http://www.dailytimes.com.pk/default.asp?page=2010%5C07%5C24%5Cstory_24-7-2010_pg7_16

⁸ Pakistan Human Rights, <http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/pakistan>

⁹National Commission for Human Rights': Bill approved to create independent rights body,

<http://tribune.com.pk/story/110385/national-commission-for-human-rights-bill-passed-to-create-independent-rights-body/>

that could take, at its own, action against human rights violations that were rampant in Pakistan¹⁰.

As far as target killing is concerned, it has become a routine matter particularly in Karachi, provincial capital of the Sindh province, which has now become a city where people fear going outside of their homes¹¹. People have been staging protests, demanding the government to take steps to make Karachi a peaceful city¹². So far, dozens of people belonging to different walks of life have lost their lives in such inhuman incidents¹³. It is lamentable to say that so far no concrete steps have been taken by the government to eliminate the menace of target killing. Political parties in Sindh, instead of pondering on the issue and finding out ways to stop those killings, are just involved in the blame game¹⁴. Every day strikes, many times forced ones, have damaged the business and commerce of the city.¹⁵

As far as the Committee's recommendations for legislation for safety of domestic/working women, sexual harassment and implementation of available laws in letter and spirit is concerned, it is again a positive step. Domestic violence is found almost everywhere in Pakistan¹⁶ and its victims always remain in queue for seeking justice.¹⁷ Domestic violence is an area that needs to be addressed on an urgent basis, however civil society organizations have been constantly raising their voice on that.¹⁸

¹⁰Pakistan Human Rights, <http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/pakistan>

¹¹The futility of Karachi mayhem, <http://blogs.tribune.com.pk/story/913/the-futility-of-karachi-mayhem/>

¹² Pakistani condemn target killings in Karachi, <http://abna.ir/data.asp?lang=3&id=192843>

¹³ Karachi target killings, highest in 15 years, <http://tribune.com.pk/story/69491/karachi-target-killings-highest-in-15-years/>; 3 more killed in Karachi target-killing, <http://pakistancriminalrecords.com/2010/07/23/3-more-killed-in-karachi-target-killing/>; 8 killed in target killings in Karachi, http://articles.timesofindia.indiatimes.com/2010-07-03/pakistan/28277507_1_target-killings-karachi-suicide-attack

¹⁴ Horror in Karachi, <http://tribune.com.pk/story/34066/horror-in-karachi/>

¹⁵ Strike against Karachi target killings, <http://tribune.com.pk/story/15226/strike-observed-against-karachi-target-killings/>

¹⁶ Dishonoured killings, <http://www.violenceisnotourculture.org/node/820>

¹⁷ Domestic violence victim seeks justice, [http://www.dailytimes.com.pk/default.asp?page=2010%5C08%5C19%5Cstory_19-8-2010_pg11_8](http://www.dailytimes.com.pk/default.asp?page=2010%5C08%5C19%5Cstory_19-8-2010_pg11_8;); Curbing domestic violence, http://www.dailytimes.com.pk/default.asp?page=2009%5C04%5C14%5Cstory_14-4-2009_pg3_3

¹⁸ Government urged to implement Domestic Violence Bill, http://www.dailytimes.com.pk/default.asp?page=2010%5C12%5C05%5Cstory_5-12-2010_pg11_1