

PARLIAMENT WATCH – PAKISTAN*

JUNE 2010



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Proceedings of the National Assembly of Pakistan

June 2010

The 23rd session of the National Assembly of Pakistan was held in June 2010 and continued for 24 days after it commenced on 3rd June 2010. Although, it was mainly a budget session for the fiscal year 2009-10 and much of the focus of the parliamentarians remained on budget related issues, some other important business particularly having connection with human rights was also part of the agenda of the House proceedings.

One such item on the agenda was the introduction of the Code of Criminal Procedure (Amendment) Ordinance 2010. It aims to mitigate the hardships being faced by women. It proposed amendments in the Code of Criminal Procedure 1998 regarding extending the concession of bail to women except in the cases of offences relating to terrorism, financial corruption, murder or offences punishable with death or imprisonment for life. It also proposes that the court, with regards to the facts and circumstances of the case, may release the accused women on bail even in the above said cases¹.

In case legislation is made regarding the matter in question, than it will provide relief to at least the accused women who are languishing in jails, against minor offences, only due to the delay in trials. Delaying of trials happens for multiple reasons such as pending cases in the courts due to excessive work and a large backlog of cases that ultimately cause disorder² in jails and various other complications for the accused in jails. Due to backlogs or pending works, trial of accused, whether they are men, women or juvenile, is not conducted in time while the accused suffer in jails for years, facing multiple problems ranging from food to health complications and serious psychological disorders that in many cases cause deaths or suicides of prisoners³. In jails, they are denied of basic facilities relating to toilets, health, and provision of timely and quality food, proper rest, and information, meeting friends, relatives and even close family members⁴.

Female prisoners, particularly those with infants and minors, face even worse situations⁵. In jails no attention is given to the mental rehabilitation of the accused. Suffocating environment and torture within jails is very common⁶. However, making legislation regarding the said matter can help providing relief to women in jails particularly those waiting for their trials against minor offences.

¹the code of Criminal Procedure Ordinance

http://www.na.gov.pk/uploads/documents/1302652335_619.pdf

²Delay in trials causing disorder in jails

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

³Mysterious deaths, suicides at jails more than double in 2009

http://www.dailytimes.com.pk/default.asp?page=2010%5C01%5C05%5Cstory_5-1-2010_pg7_28

⁴Five Punjab jails still without basic facilities

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

⁵Jails in Punjab lack facilities for pregnant prisoners

http://www.dailytimes.com.pk/default.asp?page=story_9-11-2004_pg7_33

⁶Torture, lack of health facilities: 19 prisoners died in Adiala Jail in 2008

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

Another ordinance laid in the House in this month was Women in Distress and Detention Fund (Amendment) Ordinance, 2010⁷. A woman in Distress and Detention Fund was established earlier under an Act of the Parliament. It aims to provide financial and legal assistance to women languishing in jails on account of different allegations who face extreme hardships. Earlier, the Ministry of Law, Justice and Human Rights was administering the Fund, but now the fund has been transferred to the Ministry of Human Rights, established in 2008⁸. This Ministry is not in a legal position to operate this Fund and it will only be through this legislation that the Human Rights ministry would be able to operate this Fund.

Regarding public welfare, the Assembly also passed the Benazir Income Support Program Bill 2010 for the social and economic uplift of poor and under privileged people. The Bill was passed to provide legal cover to the Benazir Income Support Program that was established as an autonomous social safety program to provide financial assistance and other social protection in terms of education and health to the disadvantaged. Under this program, financial assistance is being given to poor.⁹ The government of Pakistan, under this program, is running different schemes benefiting poor and the disadvantaged. Over all it looks a good program as almost 40 million people in the country are benefiting from it¹⁰ but on the other hand criticism is also there on the lack of transparency and efficacy of the Program.¹¹

⁷The Women in Distress and Detention Fund Ordinance 2010
http://www.na.gov.pk/uploads/documents/1302652128_825.pdf

⁸Establishment of the Ministry of Human Rights
<http://www.mohr.gov.pk/about.html>

⁹US pledges Rs3.8b for education
<http://tribune.com.pk/story/12859/us-pledges-rs3-8b-for-education/>

¹⁰Benazir Income Support Program
<http://www.epakistannews.com/benazir-income-support-program.html>

¹¹ Benazir Income Support Program 'bogus'
<http://tribune.com.pk/story/92726/swati-calls-benazir-income-support-program-bogus/>

Some people like Benazir Income Support some dislike

<http://criticalppp.com/forum/topic.php?id=96>

BISP will keep encouraging women to set up business

<http://dailytimespakistan.com/category/benazir-income-support-programme/>

US provides \$75mn for Benazir Income Support Program

<http://tribune.com.pk/story/32376/us-provides-75mn-for-benazir-income-support-program/>