

## PRESS RELEASE

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### Civil Society Demands Amendments

Islamabad: - Pointing out serious lacunas in the draft of the National Commission on Human Rights Bill, recently approved by the cabinet, civil society members here on Thursday demanded major changes before its approval by the parliament.



Speaking at the National Consultation on establishment of the National Commission on Human Rights in Pakistan organized by the Parliament's Commission on Human Rights (PCHR), they said the present draft proposes a body completely under government control and provides an incomplete picture of its functioning.

Participants of the consultation included eminent civil society workers and human rights activists including I.A Rehman, Naeem Mirza, Samina Nazir and Saleem Bari. Minister for Human Rights Syed Mumtaz Alam Gillani, MNA and Executive Director PCHR Kashmala Tariq, Shafique Chaudhary Chief Coordinator PCHR, Asia Pacific Forum Rory Maugoven, Commissioner Malaysian Human Rights Commission Dato Choa and legal advisor for Pacific Forum Greg Heesom also spoke on the occasion.



The participants said the draft includes numerous clauses, allowing unnecessary government intervention in the Commission. "If this bill is approved as it is, it will lead to nothing more than being another mouthpiece of the government," they said adding that Pakistan has become a graveyard of commissions and called for a result-oriented, strong, autonomous and efficient body to break the monotony. The participants pointed out that the commission should be formed according to the Paris Principles, which clearly define the rules, responsibilities, functioning and composition of such bodies.



The clause that was criticized the most was chapter-II clause-IV, which says that the president, on the advice of the prime minister, shall appoint the chairperson and members of the commission. “This will kill the basic spirit of the commission, said chairperson Human Rights Commission of Pakistan (HRCP) IA Rehman, who suggested that the parliamentarians appoint the chairperson in consultation with civil society.

The participants also objected to a clause, which makes it obligatory that only a retired judge would qualify for the post of chairperson while calling for noninterference by the government in the commission’s funding matters.

Terming it an insult to human rights, Rehman disproved clause 30, which says that the government directives should be binding on the commission. “There is no use of creating a commission on human rights unless it is completely autonomous in all aspects, he said and added that the commission should be more representative of different classes facing discrimination and repression, and it should be given the power to proceed in courts. He called for the Parliamentarians to be briefed on the country’s international commitments with regard to human rights.

Naeem Mirza of Aurat Foundation stressed the need to ensure that the fate of this commission is not like other such commissions functioning in the country. Citing the example of the National Commission on the Status of Women, he said it was supposed to have 20 members, but is functioning with only four and that too with serious financial constraints. He said it is vital to ensure that the law Ministry should not take over important initiatives of the commission, as it was done in the case of Ministry of Women Development. He advised not to involve the bureaucracy in this initiative, as it would spoil the whole spirit of the commission. “If something goes wrong due to bureaucratic hurdles, the blame will go to the Parliamentarians, he said.

Speaking on the occasion, Minister for Human Rights Syed Mumtaz Alam Gillani said that creating a separate ministry for human rights reflected the commitment of the government and assured that the ministry is open to suggestions and recommendations to improve the human rights conditions.

Rejecting changes introduced by the government in the original bill, Kashmala Tariq MNA demanded that the original draft presented by her in the Parliament in June 2008 be adopted as it is, adding that forming such a commission is the need of the hour.

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