

PRESS RELEASE

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Government should pay due attention to reform prisoners laws and controversial FCR, PCHR Executive Council demands

Islamabad. The 11th Executive Council (EC) meeting of Parliamentarians Commission for Human Rights, Pakistan (PCHR) held at its secretariat, here in Islamabad. Chairman PCHR Mr. Riaz Fatyana MNA presided over the meeting. Executive Council members including Executive Director Ms. Kashmala Tariq MNA, Mr. Mujeeb-ur-Rehman Pirzada MNA, Ms. Mehnaz Raffi MNA, Ms. Gul-e-Farkhunda MNA, Ms. Fauzia Wahab MNA, Ms. Afsar Jehan Begum MNA, Mr. Asad Ullah Bhutto MNA, Pir Noor-ul-Haq Qadri MNA, Syed Tahir Shah MNA, Malik Saifullah Tiwana MNA, Malik Zaheer Abas Khokhar MNA, Mr. Haroon Ehsan Paracha MNA, Mr. Bukhtiar Mani MNA, Rai Azizullah MNA and former Senator and Minister of State for Interior Dr. Shehzad Waseem attended the meeting. The council reviewed organizational and legislative matters and members of the Executive Council unanimously passed the resolution demanding release of all political prisoners particularly Khawaja Saad Rafique MNA.

Members of Executive Council discussed on various human rights issues particularly the state of the rights of prisoners in Pakistan and discriminatory laws applicable in tribal areas in the form of Frontiers Crimes Regulation (FCR). Talking about the plight of prisoners, Mr. Riaz Fatyana MNA said that the prison rules of 1884 are age-old and outmoded; these rules have not been codified since long and do not conform to the changing circumstance. Similarly, there should be no discrimination among the prisoners from the date of arrest. He informed that the use of remissions and parole could drastically reduce the overcrowding in our jails. After evolving consensus among all the members, it was decided that PCHR would become party in review petition in Supreme Court demanding review of decision filed by the prisoners of Kot Lakhpat Jail concerning ban on right of remissions during under trial period. Mr. Riaz Fatyana informed that according to prison rule section 382 PPC, prisoners are entitled to all benefits as their basic rights and that sentence starts from the date of their arrest. While under trial and convict prisoners face same miseries and difficulties in jail, so all remissions during this period should be granted to each prisoner. He added that under Objective Resolution 1949, Pakistan was to be made a welfare state, characterized by the social justice and rule of law. Certain provisions of the Constitution of Islamic Republic of Pakistan grants civil, political, social and economic rights to its citizens but these fundamental rights have too long been denied to our people, he stated and demanded that present government should provide these rights to our people in next budget of 2006-07.

The Executive Council also reviewed different legislative bills. EC members showed their concern over the bills concerning establishment of proposed National Commission for Human Rights (NCHR) in Pakistan and Law Reform Package. Both the legislative bills lack consultative process, deem necessary for effectiveness.

Apart from this, the Executive Council members demanded immediate intervention of the government to repeal Frontiers Crimes Regulation (FCR). They were of the opinion that the FCR has snatched all fundamental rights from the people of tribal areas. Tribesmen convicted under the FCR cannot file an appeal against the Political Agent's judgment in the superior courts. This is due to Article 247 (7) of the constitution, which bars the exercise of jurisdiction of the courts in the Federally Administered Tribal Area (FATA). Therefore, it is imperative that government must observe sanity by amending or repealing this black law, they urged.

Chairman PCHR, Mr. Riaz Fatyana MNA elucidated that PCHR has also undertaken a consultation on FCR and compiled the suggestions of all stakeholders to improve the situation. However, the situation can not be bettered unless Articles 246 and 247 are amended, otherwise, the Articles of the Constitution, which ensure the fundamental rights of citizens, cannot be invoked. It is indispensable that government should give top priority to this issue and strive for reformation. EC also discussed the future course of action and identify areas for intervention to evolve pluralistic human rights culture in the country.

Following numbers will be reachable round the clock for any information or help:
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