

Call for effective Law to Criminalize Custodial Torture, End Impunity

Govt. urged to abolish private detention centers, ensure security of HR defenders, journalists

LAHORE: PR (25 JUNE 2015) "Custodial torture is a crime against humanity, which legitimizes violence and promotes impunity. It is mother of violations of Human Rights. The widespread use of torture by law enforcement agencies is clear demonstration of primitive criminal justice system. Torture is not only disturbingly common in Pakistan but it is tolerated as a norm in our society. It has become a common tool to extract confessional statement and bribe from the detainee. The victims are threatened into silence and even if someone does want to report, there is no legal mechanism to help the victim. So, without effective legislation against torture, a proper forensic system and zero tolerance, the torture-free investigation is a wishful thinking".

These views were expressed by speakers at a press conference, jointly organized by Anti-Torture Alliance (ATA) Pakistan, Human Rights Commission of Pakistan (HRCP) and Asian Human Rights Commission (AHRC), in connection with International Day in Support of Victims of Torture (26 June). Human Rights defenders and activists including Asma Jehangir, Bushra Khaliq, Tanveer Jehan, Waqar Mustafa, Nadeem Anthony advocate and Samson Salamat spoke on the occasion.

Speakers said Pakistan ratified the United Nation's Convention Against Torture (UNCAT) on 23th June 2010, but to date no law is enacted to criminalize the illegal practice of torture. Although Senate of Pakistan passed a toothless bill against torture in January 2015, however, it needs amendments in line with UNCAT. The National Assembly must take up the bill in the light of civil society demands.

Speakers were of the view that in wake of the recently acquired GSP Plus status for Pakistan, the level of State obligation for the effective compliance of UNCAT has further increased. The state report on progress of compliance regarding 27 UN convention including UNCAT is also due within next 6 months. Therefore, it has become all the more important for the Govt. to take practical steps towards elimination of custodial torture. On this occasion a resolution was also presented and passed.

Resolution

We the members of Anti-Torture Alliance Pakistan, Human Rights Commission of Pakistan, members of civil society organizations and Human Rights defenders call on:

- The Parliament of Pakistan to enact law for criminalization of torture in line with UNCAT and to ensure it will be vigorously enforced.
- The Govt. to end impunity for law enforcers, picking up people on suspicion or in the name of national security.
- The government to establish rehabilitation centers for torture victims, pay compensation to them.
- The governments to close private detention and torture cells, police and other law enforcement agencies are running despite prohibition of torture in the Constitution of Pakistan under the article 14 (2).
- The government to respect international treaties, the UN Convention against Torture, which it has ratified in June 2010 and ratify the optional protocol.
- The government to take immediate steps to stop abductions, and disappearances and for the release of all those forcibly disappeared, bringing perpetrators to justice.
- The government to ensure security of HR defenders, journalists, political activists, writers, students and by developing a mechanism for their protection and safety.
- The authorities to modernize the criminal justice system by developing proper complaint centers.
- The Judicial Commission to start reforms in the lower judiciary and the prosecution system.
- The parliament to legislate to change the colonial-era policing system into a civilian policing system.
- The provincial governments to check the menace of custodial torture in their provinces.
- The Punjab government to improve human rights standards at police stations, lockups and jails.

Contact:

1. Bushra Khaliq (Anti Torture Alliance -Pakistan)
2. Waqar Mustafa (Human Rights Commission of Pakistan)
3. Samson Salamat (Anti Torture Alliance -Pakistan)