

TO BE INTRODUCED IN THE YOUTH PARLIAMENT OF PAKISTAN

A BILL

Further to Amend the 'National Commission for Human Rights Act, 2012'.
WHEREAS it is expedient further to amend the 'National Commission for Human Rights Act, 2012' for the purposes hereinafter appearing:
It is hereby enacted as follows:-

1. Short Title and Commencement:

- (1) This Act may be called the National Commission for Human Rights (Amendment) Act, 2012'
(2) It shall come into force at once

2. Amendments in CHAPTER II 'ESTABLISHMENT OF COMMISSION FOR HUMAN RIGHTS':

(Article 3 'Establishment of Commission')

Clause 2:

Paragraph (a) should be replaced with: 'A Chairperson, who is qualified to be, a judge of the Supreme Court or a person having demonstrable knowledge of, or practical experience in, matters relating to human rights with the compulsion of an academic qualification in the related fields'

After Paragraph (e), insert Paragraph (f), Paragraph (g) and Paragraph (h) as follows:

Paragraph (f): "an Islamic scholar, or a person having demonstrable knowledge of Islamic rationale"

Paragraph (g): "other than the Chairperson, a member who is a sitting or retired Judge of the Supreme Court and a member who is a sitting or retired Chief Justice of the High Court"

Paragraph (h): "a member who is a representative of the Civil Society, chosen from the Association of Lawyers/Doctors/Journalists/Traders/Students/NGOs by the Commission"

Clause 3:

After words 'not less than forty years of age', insert:
"and not more than 60 years of age"

3. Amendment in CHAPTER III 'MANAGEMENT AND PROCEDURES OF THE COMMISSION':

(Article 9 'Functions of the Commission')

Paragraph (j), after words 'bodies or committees', insert: "and submit independent reports directly to the United Nations bodies or committees"

4. Amendments in CHAPTER IV 'INQUIRIES AND INVESTIGATIONS':

(Article 14 'Procedure with respect to armed forces')

Clause 2: After words 'deem appropriate', insert:

"and if the Federal Government's actions in this course do not satisfy the Commission, the Commission may proceed to inquire into the complaint on its own"

(Article 15 'Procedure with respect to intelligence agencies')

Clause 1:

Should be replaced with: “The functions of the Commission do not potentially include inquiring into the acts or practices of intelligence agencies, but if a complaint is made to the Commission alleging that an act of such an agency is contrary to any human right, the Commission shall refer the complaint to the concerned competent authority and shall seek a report from that authority in a stipulated time. If the said authority fails to satisfy the Commission, the Commission shall seek a report from the Federal Government”

STATEMENT OF OBJECTS AND REASONS

The establishment of ‘National Human Rights Commission’ is a monumental achievement for the safeguard of Human Rights in Pakistan.

The institution of ‘National Human Rights Commission’ must be given utmost empowerment to ensure its unbiased and autonomous functioning. The scope of NHRC must be in compliance with the United Nations General Assembly Resolution 48/134 and in compliance with the International Standards for Human Rights.

The Amendments proposed shall strengthen the Commission as a legitimate, sovereign, popular and accessible institution.

The Bill is designed to achieve the afore-mentioned objectives.

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