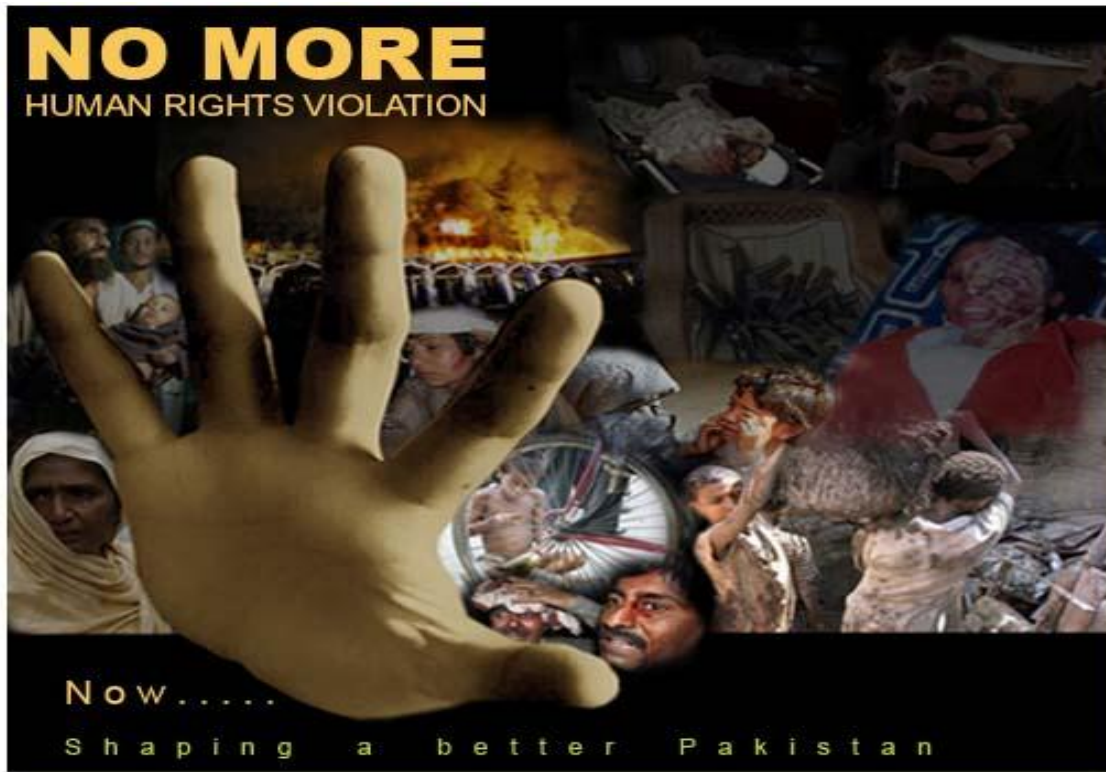


Human Rights Policy Statement



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Human Rights Policy

Statement

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Foreword:

Human Rights are not a recent invention - discussion of rights and responsibilities has been an important part of all societies throughout history. Some of our centuries old customs and mores are contrary to the notions of individual's rights and liberties. We have to create awareness that these practices are detrimental to realization of an individual's full potential and thus hamper national progress,. Simultaneously, we must see to it that perpetrators of human rights violations are brought to justice swiftly and their victims are provided all the assistance that they may require.

The greatest protection of human rights comes from democracy, the rule of the law that allows human rights to take effect in the society. It is important for any government to serve the people, listen to their problems and make sure that their human rights are respected. Therefore, it is imperative to build a society where every difference does not make a threat. It is the only way to give each person the same chance to live.

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Women:

Public intimidation of, and threats to, women and girls by religious extremists has increased in major cities in the recent years. Mistreatment of women and girls—including rape, domestic violence, and forced marriage—remains a serious problem.

At least 943 women were killed in the name of honor in 2011, of which 93 were minors. Among the victims were seven Christians and two Hindus. The provisions of Sexual Harassment Act

have not been implemented by many ministries. 701 women committed suicide and 428 tried to end their lives during the last year.

Suggestions:-

- ✓ Informal jirgas and panchayats need to be brought within the purview of civil courts especially in matters concerning women.
- ✓ There is the need to follow up on the implementation of some progressive legislation concerning women, passed by the Parliament.
- ✓ More women need to be represented in decision-making bodies of the government.
- ✓ Efforts should be made to provide security and safe grounds for woman at workplaces.
- ✓ Efforts should be made to facilitate more women and transgender people into the workforce on better terms of employment to make them a part of the social force and able to withstand family pressures and domestic violence.

Children:

Over one thousand children languished in juvenile prisons across the country in 2011. No special courts were set up to exclusively hear juvenile cases. In numerous households, many children are pushed into hazardous labor or beggary because of a lack of any means of sustenance. Infant mortality rate is about 63.3 deaths per 1,000 births. No decline has been witnessed in the number of child rights violations in terms of figures.

Suggestions:

- ✓ Government should start a national campaign to raise awareness on the Juvenile Justice System Ordinance (JJSO) 2000 on a priority basis in collaboration with the non-government sector.
- ✓ The overall legal protection framework for the children must be strengthened by ensuring the passage of child related legislation.
- ✓ Government should develop special measures for protection of children in distress situations and ensure transparency in the utilization of foreign aid.
- ✓ Sanctions for parents not compulsorily sending their children to schools must be imposed, as proposed in Khyber Pakhtunkhwa.
- ✓ Rehabilitation programs and the safe havens for the street children should be introduced.
- ✓ Persistent corporal punishment in schools also needs to be curtailed as it is one of the compelling reasons for children dropping out of school.

Law and Order

Balochistan:

The human rights organizations have recorded the killing of hundreds of Baloch nationalist activists during the year 2011, as well as dozens of new cases of disappearances. So, the conditions have markedly deteriorated in the mineral-rich province of Balochistan. The dead included Abdul Ghaffar Lango, a prominent Baloch nationalist activist, and Hanif Baloch, an activist with the Baloch Students Organization (Azad). It is generally believed that the security agencies are actively involved in all the human rights violation in Baluchistan. The ratio of drug trafficking and drug addiction is also increasing day by day within the province. It is being claimed by some sectors of the society that the politicians and FC are generally influenced by the drug mafia. The authorities appear powerless to rein in the abuses in the province.

Karachi:

Karachi has experienced an exceptionally high level of violence during the year 2011, with some 800 people killed. The killings have been perpetrated by armed groups patronized by all political parties having a presence in the city. Despite an October 6 Pakistan Supreme Court ruling calling for an end to the violence, authorities took no meaningful measures to hold perpetrators accountable.

Counterterrorism and Militant Attacks:

Armed attacks, suicide bombings, armed attacks, and killings by the Taliban, al Qaeda, and their affiliates have targeted nearly every sector of Pakistani society, including journalists and religious minorities, resulting in hundreds of deaths. Security forces routinely violate basic rights in the course of counterterrorism operations. Suspects are frequently detained without charge or are convicted without a fair trial.

The army continues to deny lawyers, relatives, independent monitors, and humanitarian agency staff access to persons detained in the course of military operations. Aerial drone strikes by the US on suspected members of al Qaeda and the Taliban in northern Pakistan still continues.

Human Trafficking:

Pakistan is considered to be a country of origin, transit and destination for human trafficking. There is also believed to be considerable internal trafficking. Human trafficking has also been reported to be big business in some districts of Punjab from where a large number of residents had gone abroad. The change in the financial situation lured others to follow suit at any cost, even by relying on human traffickers.

Suggestions:

- ✓ Every single injury or death in a police encounter must be probed without the family asking for it. Compensation for the victim must be awarded in addition to punishment. The authorities must know that it makes good sense to have the people on their side in the fight against crime.
- ✓ All manners of extrajudicial killings must be vigorously pursued to ensure accountability.
- ✓ The government must think beyond appeasement and find a way out of the vortex of violence that Karachi and Balochistan have become. . Political means of conflict resolution should be given a chance in Balochistan. Across the board de-weaponisation must be accompanied by credible commitments by the state to protect the people so that they do not have to keep weapons to do that themselves.
- ✓ Use of force or stringent punishments for criminals would only go a little way without addressing acute poverty, economic inequality and other social causes of crime.
- ✓ An immediate and active campaign should be launched to sensitize the people to the risks that reliance on human trafficking can lead to.

Freedom of Media:

A climate of fear impedes media coverage of military and militant groups. Journalists rarely report on human rights abuses by the military in counterterrorism operations, and the Taliban and other armed groups regularly threaten media outlets over their coverage. 16 journalists were killed in the country in 2011. Besides journalists, others exposed to intimidation or violence for expressing their views included human rights defenders, political activists and progressive religious leaders. Training for media men and women to understand and avoid risks in the field

remains largely absent. In a positive development, journalists vocally critical of the government experienced less interference from elected officials than in previous years.

Suggestions:

- ✓ Efforts should be made by the government to curb extremist opinions promoted by some print and electronic media organizations that influence public opinion against individuals and their right to freedom of expression.
- ✓ It is critical that special measures must be taken by the government to ensure the safety of the journalists and human rights activists. In the conflict-hit zones of the country, it is important to ensure that the journalists don't become targets in crossfire.
- ✓ There is an urgent need to form the journalists' regulatory bodies to ensure responsible journalism and greater respect for professional ethics.

Labour:

A large numbers of domestic workers and other laborers do not even get meager amount. Non-payment of salaries, pensions and inordinate delays in payment are being extensively reported. Federal and provincial governments allocated Rs 54.81 billion for social security and social welfare in the budgets for 2010-11. Only Rs 39.36 billion were spent. One in every 30 employed persons reported some occupational injury/disease within 12 months preceding an official survey.

Suggestions:

- ✓ To ensure dignified living for the workers, minimum wage should be enhanced keeping in view the double digit inflation.

- ✓ Implementation of the minimum wage regime is far from satisfactory and needs to be improved in consultation with the workers' representatives.
- ✓ To assess the condition of the structures and machines at the premises where laborers work, inspection of such premises must be resumed without any further delay.
- ✓ Budgetary allocations for social security and social welfare of the workers must be enhanced by the government. Such allocations should reflect the government's commitment to the more vulnerable segments among workers, including women, children and bonded labor.

Education:

Only 16 percent rural women in Sindh completed primary schooling and only 8 percent women did so in Balochistan. At least 33 percent children are believed to be out of school, and drop-out rate from primary to secondary schooling is nearly 50 percent. In the year 2011, 542 primary schools for boys and 108 schools for girls were dysfunctional in FATA due to threats by extremist militants.

Suggestions:

- ✓ The bombing of schools needs to be stopped and academic activity must be resumed in the conflict-hit areas of the country.
- ✓ Curriculum and teaching methodology needs to be revised since this is also the reason that may lead many students to drop out.
- ✓ The government should restore peace to the campuses by combating the fear that student wings of religious-political parties could take over institutions of higher learning altogether.
- ✓ Along with Curriculum and teaching methods the pattern of taking exams must also be changed from the subjective to objective type.



The government should take the initiatives to close the gap between public and private educational systems.

Health:

The public health care system still remains far from adequate. 31,655 victims contracted the dengue virus, of which 347 died last year. The doctors' strikes followed by the strikes by nurses contribute to people's problems. Lady health workers demanding regularization of their service faced batons and tear-gas from police.

Suggestions:



The uniform standards for health education, health professionals, and a coherent drug policy must be maintained.



Financial resources need to be allocated to deal with the natural disasters and emergencies such as the outbreak of infectious diseases after floods, outbreak of dengue virus etc.



There is a need to upgrade the rural healthcare system with a mechanism to monitor and control the pilferage and misuse of funds.



Primary healthcare needs such as safe drinking water supply, better sewerage and the immunization program should be considered the issue of high priority.

Religious Minorities:

The government's oft-repeated claims of commitment to religious minorities' rights must be translated into practical steps for the protection of minorities, prosecution of hate speech without exception, and promoting tolerance and harmony by facilitating inter-faith dialogue and weeding out propaganda against non-Muslims from textbooks. Efforts should be made to facilitate

codification of personal laws for all minority communities that want that. All such efforts should be led by the minority communities themselves.

Transgender People and Human Rights:

Transgender individuals in Pakistan have typically faced a myriad of dangers from police, family, community, and religious authorities, and had to leave the country. There is no known grassroots activism among lesbians, gays, bisexuals, transsexuals and transgender communities in Pakistan. This lack of activism, the silences around sexualit(ies), and deeply closeted status of most gays and lesbians in Pakistan (many of whom live double lives to avoid revealing their sexual orientation) makes it difficult to accurately assess their living conditions and human rights situation. Anecdotal information from such people who have left the country describes fear, secrecy, isolation, suicides, forced marriage, family and community pressure to conform to heterosexual norms. The way has been paved for the Pakistan's minority community of transgender men -- known in the Urdu language as "hijras" and estimated to number 500,000 -- to vote in next general elections. The hijras' right to vote -- unthinkable just a few years ago -- is a groundbreaking achievement in Pakistan. There should be proper legislation for the transsexuals within the country. Efforts should be made by the government to take care of their separate accommodation and employment opportunities. This will discourage them from taking part in the unethical activities.

Housing:

Of Rs 2.94 allocated in the federal and provincial budgets of last year on low-cost housing, only Rs 1.92 billion was spent. In addition to a fast growing population, difficult economic conditions and a persistent failure to adequately address the housing shortage have contributed to deterioration in the quality of housing for an overwhelming majority of Pakistanis. Absence of proper planning and infrastructure in housing schemes even in the main cities has compounded these problems. Such infrastructure remains virtually non-existent in rural areas, prompting the population to shift to the cities. Rural housing continues to be ignored. The poor quality of

construction and inability of the people to afford repairs resulted in structures collapsing across the country in 2011, causing many deaths and injuries.

Suggestions:

- ✓ In order to address the acute housing shortage, a National Housing Policy needs to be devised by the government.
- ✓ Transparency and consultation with the dwellers must remain paramount in all public housing projects.
- ✓ All new housing schemes must be required to ensure that a percentage of their land is covered by trees.
- ✓ The provision of adequate burial space in housing projects should also be ensured.
- ✓ The housing provided by the public sector must be based on the needs of the people and not on political considerations. Rural housing must also be focused on.
- ✓ Information should be made accessible to the people to help them avoid land scams by private housing scheme developers. This should include issuance and dissemination of lists of approved housing schemes in all districts.

Environment:

Over half of the country's population lack access to safe drinking water. Noise and air pollution levels in big cities exceed permissible limits. The murder of two activists working to protect the mangroves highlights the dangers of advocating for protecting the environment. How Pakistan's international obligations would be affected by devolution of the subject of environment remains unaddressed.

Suggestions:

- ✓ There is a need to find a solution to the disruption in policy and implementation regarding environmental challenges following devolution of the subject to the provinces. Strengthening provincial authorities is of crucial significance as is addressing gaps in the laws.
- ✓ Progress and development must always be in sync with the ecology and environment and not at their cost. The existing laws must be enforced to protect the flora and fauna and prevent pollution.
- ✓ It is high time to devise a policy to arrest the deforestation rate and the illegal felling of trees by the timber mafia.
- ✓ The disposal, collection and management of solid waste, especially electronic waste, must be streamlined without delay.

Appendix

[TO BE INTRODUCED IN THE YOUTH PARLIAMENT PAKISTAN]

**A
BILL**

to facilitate the journalists by ensuring their rights, dignity, welfare and protection

WHEREAS, it is expedient to enact a law for the welfare and protection of the journalists in order to enable them to perform their duties in a better way;

It is hereby enacted as follows:-

1. Short title, extent and commencement:-

- 1) This Act may be called the Journalists Welfare Act, 2012.
- 2) It shall extend to the whole of Pakistan.
- 3) It shall come into force at once.

2. Definitions:- In this Act, unless there is anything repugnant to the subject or context,

- a) “government” means federal government or a provincial government;
- b) “journalist” means the journalist, including both male and female, as anyone who regularly gathers, prepares, collects, records, writes, edits, reports, analyzes or publishes news or information that concerns local, national or international events or other matters of public interest;
- c) “facility” means care provided by the government to the journalists;

3. Social welfare fund for the journalists:-

- 1) A Social Welfare Fund shall be established for journalists and in case of sudden death, the spouse, children and other dependants shall get benefit from Social Welfare Fund which would include scholarships, marriage assistance and free education.
- 2) If a journalist loses life during performance of duties, or is injured, his/her family shall be compensated with at least rupees five to seven lakh in case of death,

rupees one to two lakh in case of major injury, rupees fifty thousand in case of minor injury and the treatment cost would be borne by the government.

4. Steps for the special safety measures:

- 1) The Government shall be responsible for providing on-spot and on- demand protection facility to the journalists.
- 2) In case any journalist feels threatened and needs protection, the SHO of the area where the journalists reside or any other area, shall provide the required protection and security.

5. Provision of necessary facilities:-

- 1) In case of national calamity, eruption of fire, accidents, or natural disasters, the Federal Government shall provide all the required facilities to journalists during coverage, especially in emergency situations.
- 2) Journalist and his immediate family members shall be entitled to free medical treatment at government hospitals all over the country. In case of emergency medical treatment to journalists, the District Health Officer or Tehsil Health Officer, as the case may be, shall be primarily responsible for such treatment.
- 3) The government shall ensure protection of and support to all women journalists against any type of harassment or discrimination in the performance of their duties.
- 4) Special Training Programs shall be introduced by the government for the journalists who are working in conflict or combat zones.

6. Power to make rules:

The Federal Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

7. Modification of the law

Any law, executive order, rules or regulations inconsistent with the provisions of this Act shall be modified accordingly.

8. Removal of difficulties: If any difficulties arise in giving effect to any of the provisions of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, for removing the difficulty.

STATEMENT OF OBJECT AND REASONS

The situation in the country is sadly reflective of dangerous conditions for journalists who risk their very lives to shine a light on the truth. Today, the journalists are tortured, harassed, killed or badly injured in the line of their duties. It is necessary to enact a law for in-time redress of the problems faced by journalists.

Muhammad Umar Riaz

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