

OMCT/HRCP Advocacy mission in Pakistan:

Adoption of anti-torture bill would be significant step towards the implementation of the UN torture Convention

Geneva – Islamabad, 27 AUGUST 2015. A delegation of the World Organisation against Torture (OMCT) visited Pakistan to advocate for an anti-torture law and the implementation of the UN Convention Against Torture. The mission was conducted jointly by OMCT with the Human Rights Commission of Pakistan (HRCP).

The delegation held consultations with civil society representatives, legal community, members of Parliament and the newly appointed national human rights commission of Pakistan. Nicole Bürli, OMCT Senior Legal Expert and Cees Flinterman, former member of the UN Committee on the Elimination of Discrimination against Women and former member of the UN Human Rights Committee led the mission.

“An anti-torture law implementing the legal provisions of the UN Convention would be a huge step forward. While there are areas for improvement in the present draft we strongly encourage members of Parliament to take this blunt step, amend the law and seek its early adoption”, stated Nicole Bürli, OMCT Senior Legal Expert.

Since its ratification of the convention in 2010, Pakistan has failed to take comprehensive reforms against torture and has yet to submit an initial report to the UN Committee against Torture that was due in 2011. The OMCT met with Pakistanis’ officials to ask for the submission of the report. During meetings with the Chairman of the newly established National Human Rights Commission (Pakistan’s NHRI) the OMCT discussed the establishment of a complaint procedure that ensures independent investigations of alleged acts of torture as well as the necessity for educating the public and law enforcers on the absolute prohibition of torture and other forms of ill-treatment.

Prior to these meetings the OMCT and the HRCP organised a lawyers’ training in Lahore on the Convention against Torture. About 30 lawyers attended the training session setting out key challenges in litigating and proving cases of torture in court, the scope of the prohibition of torture in international law, case law on torture as well as domestic provisions and jurisprudence on torture. *“In this seminar we addressed the multiple practical challenges lawyers and activists face in litigating on torture, ranging from victims and witnesses being intimidated, the difficulty of proof for acts that happen outside the public eye, the lack of awareness of international standards on torture – not to speak of a police and prosecution services often more compelled to protect their peers than investigating the crime of torture”,* declared Waqar Mustafa, Human Rights Commission of Pakistan.

Before the mission, the Human Rights Commission of Pakistan, in collaboration with the World Organization against Torture (OMCT), organised workshops in other provincial capitals for lawyers engaged in legal representation and assistance to victims of torture or their families. The workshops held in Peshawar (July 29); Quetta (Aug 1); and Karachi (August 3) focused on the requirements of Convention against

Torture and aimed at allowing lawyers known for human rights cases to weave in arguments on CAT in counsel's arguments. About 40 lawyers attended the workshops at each provincial capital. A workshop will also be arranged for Gilgit-Baltistan lawyers as soon as the weather permits.

OMCT and the HRCP call on:

- The parliament to bring the draft bill on torture in full compliance with the Convention and assure its speedy adoption and for the government to submit its overdue report to the Committee Against Torture.
- The parliament to provide the National Commission for Human Rights with the financial means to deal effectively with torture complaints and monitor the implementation of the draft law.
- The National Commission for Human Rights to use its office to advise the National Assembly to adopt the anti-torture draft bill and the government to submit its reports to the CAT and the HRCP.
- The EU and other diplomatic missions: support civil society in their efforts to fight torture and to shed light on the government's practice

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