

# Human rights situation bleak, says HRCP

By Rafaqat Ali

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ISLAMABAD, March 27: The Human Right Commission of Pakistan on Wednesday released its report on the state of human rights in Pakistan, stating that overall the picture of the human rights in the country remained "bleak" as the military government lacked will to achieve what it publicly says.

"We would not say the situation has improved, but we would definitely say that there is a huge gap what they say and what they do," Asma Jehangir, a council member of the HRCP, said at a press conference.

The HRCP, however, acknowledged that the rate of crime against women has come down but the target in some of the most gruesome instances of crime remained women. It also stated that there was decrease in reported cases of serious crime in 2001 in the categories of deaths, encounter, explosions and tribal conflicts, but the graph of sectarian killings went up.

Afrasiab Khattak, chairperson of the HRCP, and Secretary-General of the HRCP Hina Jilani were also present on the occasion.

Ms Asma said that most of the ordinances issued in 2001 were aimed at facilitating the state apparatus and the public welfare content was low.

Amendments to the Police Act and CrPC apparatus increased the power of police. It further noted that Council of Islamic Ideology displayed undue exuberance that could strengthen conservative elements' hold over the polity and social practices.

About the judiciary, the HRCP supported the Asian Development Bank (ADB) funded Access to Justice Programme, saying the programme "appeared impressive in terms of its objectives and sweep."

The report said that retirement of two SC judges, Justice Rashid Aziz and Malik Qayyum, following disclosures of judiciary's amenability to the executive's diktat gave rise to serious misgivings about the independence of the judiciary.

It further stated that lawyers took serious exception to the manner of filling of vacancies of the Supreme Court on the ground of deviation from the principles laid in the Judges Case of 1996.

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badly damaged, forcing families to leave the area. Ahmadies also faced increased violence and discrimination across the country.

In the year 2001 (till November) 45 people were executed and the country's death row population was raised by another 591 convicts. The HRCP said that almost 5000 prisoners, including 28 women, awaited execution.

About the law and order situation in the country, reported cases of serious crime in the categories of deaths in encounters, explosions, and tribal conflicts showed a decline over the previous year while the graph of sectarian killings went up.

The militant's challenge after the September events was quickly met but the fight against terrorism/sectarian violence was far from won. HRCP noted that most of the high profile victims of sectarian killing belonged to Karachi, with a high proportion of doctors among them.

The HRCP noted that drive for de-weaponization was conducted with improved deterioration but the haul of illicit arms was believed to be low as compared to private hoards of weapons.

The HRCP further stated that rate of crime against women fell but the target in some of the most gruesome instances of crime remained women. Approximately two women were killed for "honour" every day. The law-enforcing agencies showed little improvement in their methods of dealing with political dissidents, demonstrators, or in respecting the people's right to liberty.

About jail, the HRCP said that severe overcrowding remained a problem at prisons, contributing to bleak conditions of detention and in some cases to rioting by prisoners. The rate of deaths among prisoners was quite high.

The Juvenile Justice System Ordinance, 2000, remained largely unimplemented. As a consequence, thousands of juveniles continued to be held alongside adults and 125 faced the death sentence.

Child murderer Javed Iqbal was among those who were reported to have committed suicide in prison, often in mysterious circumstances.

It was noted that while the exit control list was cut down during the year, restrictions on

the HRCP stated that political parties faced severe bars on assembly through the year and mass arrests were frequently used as means to prevent gatherings. Activists in Sindh, attempting to draw attention to the severe scarcity of water, faced repeated violence with two protesters being killed as a result of attempts to break up a rally.

The report noted that democracy and democratic practices were harshly curbed. Political leaders and activists faced arrest as a means to prevent them from organizing or addressing public meetings. Accounts of harassment and custodial mistreatment of political detainees continued to come in.

It said that honour killings seemed to be spreading to areas they had not previously been known. The number of such killings increased with reports suggesting those responsible for them frequently escaped punishment.

The allocation of 33 per cent of seats for women in local councils brought more than ever before those bodies. However it was uncertain how far they would succeed in highlighting problems faced by women.

About children, the report stated that 48 per cent children of the country were suffering from malnutrition. Others faced acute health problems due to lack of medical care and poverty. It stated that 1.6 million children in Deepalpur area of the Punjab were found affected both mentally and physically due to an acute iodine deficiency.

About Education sector, the HRCP noted that functional literacy was placed at 20 per cent while the official literacy rate of 49 per cent also remained among the lowest in the world. Expenditure on education, hovering at around 2.3 per cent of the GNP, remained well below the four per cent recommended by Unesco as the minimum for developing countries.

About Health, the report said that Pakistan's spending on health, at an average of 0.9 per cent of the GNP over the last decade, remained consistently lower than the amount spent on health by some of the world's poorest nations, including Haiti, Bangladesh and Ethiopia. One qualified doctor was available for every 1590 people and one dentist for every 38,185 people.

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The HRCP noted that SC upheld its verdict of May 2000 under which it had validated the military takeover of October 1999.

Early in 2002 the government announced reconstitution of all ATCs by including a military officer in a three-member tribunal. The move was resisted and for the time being thwarted by lawyers.

It stated that Shariate Appellate bench of the Supreme Court gave the government one year to introduce interest-free economy days before the earlier deadline expired. The deadline, the officer-bearers of HRCP noted, would again expire in coming June and the government had done nothing to get out of that. Getting it postponed, is no achievement.

The HRCP noted that blatant misuse of blasphemy law was continuing and three persons were awarded death sentence for blasphemy in 2001, and 72 people were charged with offences against religion in 54 new cases.

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It was noted that while the exit control list was cut down during the year, restrictions on travel appeared to be used from time to time as a tool of harassment.

It stated that extraordinary restrictions barred political leaders from travelling within the country or visiting a particular city. Curbs on the movement of clergymen were imposed in an attempt to clamp down on anti-US protests during the last quarter of the year.

It stated that number of sectarian killings increased with at least 100 people murdered. Minority groups faced increased discrimination and continued to protest against the system of separate electorate till the announcement restoring the joint electorate.

The HRCP stated that there were renewed indications of restraints on the press through the issuance of official advice. The security of media organizations and individual journalists came under increased threat. Many people faced physical attacks in some cases apparently at the hands of criminal mafias.

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About housing facility in the country, it stated that inadequate and unsafe housing resulted in at least 200 deaths across the country. The shortfall of the housing units stood at 5.2 million.

About environment, it stated that the country was estimated to suffer from a loss of US\$1.8 billion annually due to environmental degradation. Air pollution in Karachi and Lahore was estimated to be 20 per cent higher than WHO standards.

About refugees, the HRCP stated that during September and October around 13,000 new refugees from Afghanistan were added to the total of at least 2.2 million refugees officially stated to be already in the country. It stated that hundreds of Afghans were forced back across the border by Pakistan authorities and at least 2,000 people in Azad Kashmir were estimated to have been displaced as a result of shelling across the Line of Control with India.