

## **PRESENTATION: PAKISTAN**

**HONOURABLE SENATOR SAEED GHANI,**

**PAKISTAN**

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I do not have a legal background, but we have discussed pieces of legislation with some legal experts. There's a simple point in my mind that we are just trying to resolve the contradiction between laws. In Pakistan, the perpetuation of torture and the practice of enforced disappearances continue due to ignorance. It is the randomness of the violence that is the most horrifying—violent acts are committed even against our Chief Justice and President. Torture is used to extract bribes, information and confessions. Within the law, torture is not even defined. Since 2008, there have been attempts to reform our law. We have witnessed the passing of the 18th, 19th and 20th Amendments to the Constitution since 2010. The power of the central government has become decentralised; provinces have greater autonomy, to the extent of making reservations. There is more freedom of expression. In 2010, furthermore, Pakistan has acceded to the International Covenants of Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention against Torture (CAT), with reservations fully withdrawn by 2011. We have, as our previous speaker has mentioned, a domestic violence prevention act that minimally demonstrates the authority's intolerance toward any kind of abuse against the individual. We have legal aid offices; we try to protect women in the workplace, and so on and so forth. In 2012 there was the Industrial Relations Act, and I dare say our National Human Rights Commissions (NHRC) is rather powerful and independent.

But I argue that there is strong resistance from the judiciary. The ousted elected prime minister shows the judicial activism. People call it judicial extremism. A major problem we face is wonderful work with legislation sans implementation. We have a violent judiciary and a violent media. Our people may not be ready to accept democracy.

Honourable Senator Saeed Ghani, Pakistan