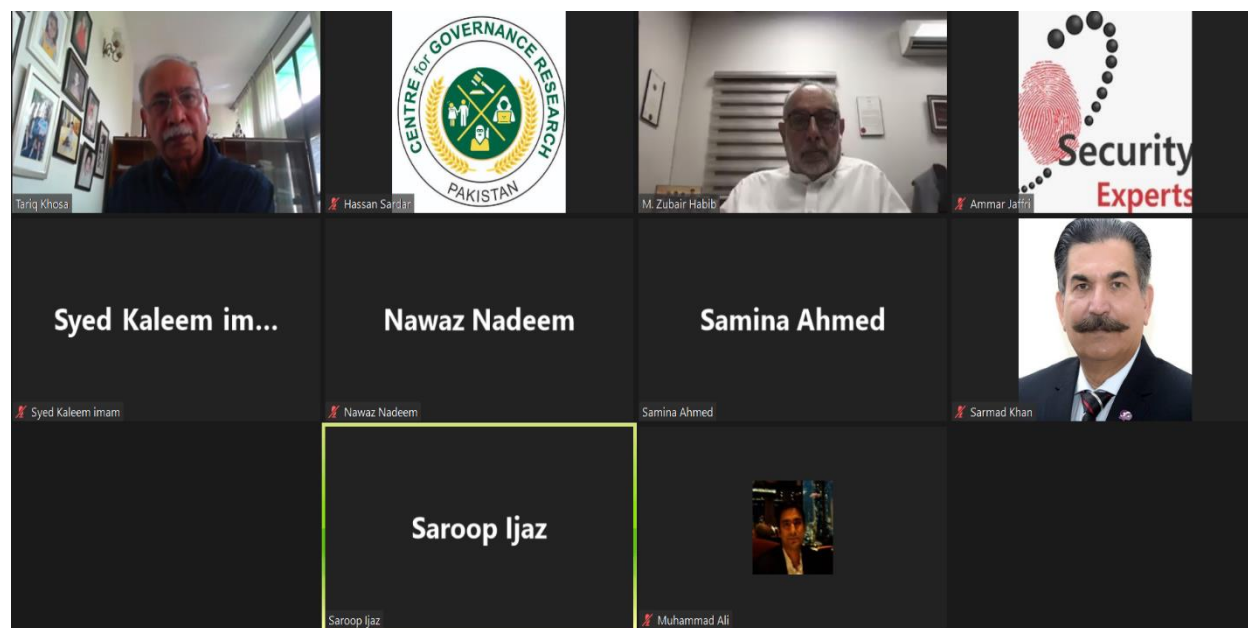


In This Issue

- Minutes of the NIOC 36th Advisory Board Meeting
- Two KMC officials shot dead, one critically injured in suspected 'terror attack' on fire station in Karachi
- Members of Hindu community stage protest in Balochistan's Kalat
- September saw surge in militant attacks: report
- Women in CT
- Pakistan Army kills 7 terrorists in separate KP operations
- Dens of corruption
- Spike in terrorism
- Four injured in Quetta grenade attack
- At least 3 killed, 5 injured in Mastung blast
- Terror attacks in Pakistan surge by 51pc after Afghan Taliban victory
- Right to murder
- FATF removes Pakistan from grey list after 4 years
- Growing alienation
- Policeman killed in gun attack on polio team in Balochistan's Pishin
- Two suspected suicide bombers killed in D.I. Khan
- A victory for human rights
- 2 army soldiers martyred in exchange of fire with terrorists in Dera
- Jirga refuses to back military operation, form peace force
- Ending custodial torture
- Serious allegations



NIOC's 36th Advisory Board Meeting



The 36th Advisory Board Meeting of National Initiative against Organized Crime (NIOC) was held virtually on Friday 28 October at 3 pm. The following AB Members participated: Samina Ahmed and Zubair Habib. The following could not participate: Tariq Parvez: He was in Geneva for a GITOC conference; Zahid Hussain: He was in Washington; Jawaid Akhtar: He was travelling in the UK.

NIOC directorate was represented by the following: Tariq Khosa, Director; Sarmad Saeed, Deputy Director; Hassan Sardar, Manager Administration; Consultants Kaleem Imam, Saroop Ijaz and Nawaz Nadeem.

The following matters came under discussion:

- 1) CGR-NIOC represented the civil society of Pakistan at the UNTOC Conference of Parties 11th Session in Vienna on 17-21 October 2022. Tariq Khosa read out a statement in COP's Plenary on UNTOC. Dr Fatima Haider also represented the civil society on behalf of The Grief Directory and came from Belfast, Ireland.
- 2) The Government of Pakistan was represented by Dr Ehsan Sadiq, National Focal Person on UNTOC Review Mechanism and Javed Riaz, former Director FIA, presently DDG NAB Karachi. Pakistan's Mission in Vienna was represented by Ambassador Aftab Khokher

and First Secretary Hasan Abbas. Dr Ehsan Sadiq read out a statement on UNTOC on behalf of the GOP.

- 3) Pakistan's Pilot Initiative on UNTOC Review in Islamabad on 15 September 2022 earned a great recognition and a special report by the UNODC Civil Society Unit was circulated among the COP participants.
- 4) Tariq Khosa, Director CGR-NIOC was also invited as a Resilience Fellow, among 20 representatives selected by the Global Initiative Against Transnational Organized Crime (GITOC) to participate actively in UNTOC COP.
- 5) Follow-up of COP was discussed with UNODC CSU and it was proposed to launch the Asia Pacific Civil Society Engagement Initiative.
- 6) Canada is thinking of coordinating National Focal Persons and Civil Society partnerships on UNTOC.
- 7) Issue Papers on Organized Crime Challenges and Human Rights Perspective will soon be issued by NIOC by teams led by Kaleem Imam and Saroop Ijaz respectively.
- 8) Policy Brief on Police Reforms written by Kaleem Imam was shared with NIOC Advisory Board and will soon be released.
- 9) A Roundtable on Organized Crime in Pakistan will be held in the last week of November or the first week of December in Islamabad. Sarmad Saeed, Kaleem Imam and Ammar Jaffri will plan and organize the event at the Islamabad Club.
- 10) CGR-NIOC will plan to organize an international Resilience Dialogue on Organized Crime in collaboration with GITOC in 2023.

Two KMC officials shot dead, one critically injured in suspected 'terror attack' on fire station in Karachi



Karachi Administrator Barrister Murtaza Wahab addresses a press conference in Karachi

Two officials of Karachi Metropolitan Corporation's (KMC) fire brigade department were shot dead while a third was critically injured in Korangi.

East Zone Deputy Inspector-General of Police (DIG) Muquddus Haider said that a pair of suspects riding a motorbike arrived at the fire brigade office around 2am, woke up four of the employees and began firing at them. As a result, he said, three KMC officials sustained bullet injuries while the fourth managed to escape.

DIG Haider said the suspects had helmets on, did not remove them during the incident and fled the scene.

The DIG said the injured were transferred to Jinnah Post Graduate Medical Centre where doctors pronounced two of them dead on arrival while the third was admitted for treatment.

DIG Haider said the police were probing the incident from every possible angle and investigators had invoked terror charges in the first information report.

A statement from the Awami Colony police spokesperson said that Amir, 55, and Mehboob, 35, were gunned down. At the same time, Irshad Rehmatullah, 30, was injured by the firing of two unknown suspects inside the Fire Brigade office at Korangi's Bilal Chowrangi.

Meanwhile, Korangi Senior Superintendent of Police (SSP) Faisal Bashir Memon said the police were not ruling out the possibility of terrorism behind the incident for two reasons.

Memon said the suspects had asked the employees to form a line and recite Kalima before opening fire. He added that two of the four officials died on the spot while the other two attempted to flee. The suspects opened fire on the fleeing officials from behind, resulting in injuries to one while the other escaped unhurt.

SSP Memon said the police had also sought the help of the Counter-Terrorism Department to probe possible elements of terrorism behind the incident. He said all victims were firemen, who were there to respond to any emergency or fire incident in the area.

Meanwhile, speaking at a press conference, Karachi Administrator Barrister Murtaza Wahab addressed the incident and said the injured employee was moved to an intensive care unit.

"The incident is being probed," Wahab said. He termed the incident a "terror attack" and vowed to bring the culprits to justice.

SOURCE: DAWN, OCTOBER 1, 2022

Members of Hindu community stage protest in Balochistan's Kalat

Hundreds of people belonging to the Hindu community marched on the roads of Kalat town to register their protest against what they said the alleged desecration of the remains of a Hindu woman's body burnt in the Shamshan Ghat.

The traders belonging to the community closed all their shops and gathered in the Shahi Bazaar area and joined the march, which was led by Mahraj Ghansham, Dewan Hari Chaand and Dr Nanad Lal.

To show solidarity with the Hindu community, religious and political parties also joined the protest. The marchers chanted slogans against the local administration.

While speaking at the protest, the community leaders strongly condemned the incident and demanded that police arrest the elements involved in this act that had hurt the sentiments of the entire community.

Hafiz Qasim Lehri, Maulana Atiqur Rehman, Haji Aziz also spoke on the occasion and supported the demands of the Hindu community.

A representative of the Hindu community said that a woman of their community had died recently and her relatives had cremated her body in Shamshan Ghat. Her remains were still in the cremation ground and unidentified persons burnt them last night. After going to the crematorium, her remains were thrown out and the remains were desecrated, he alleged.

In the past, he said, the gate of the crematorium had been stolen and they had complained to the district administration about it, but the administration did not do anything.

The protesters called off their sit-in after negotiations with the local administration for the time being and said that they would again stage a sit-in if the culprits were not arrested immediately.

SOURCE: DAWN, OCTOBER 3, 2022

September saw surge in militant attacks: report

The resumption of attacks by the outlawed TTP without announcing an end to the ceasefire has further aggravated the security situation as the highest number of terror incidents in a single month this year was recorded in September.

The number of terror attacks increased in September compared to August 2022. The month witnessed 42 militant attacks (highest in a month in 2022) with an increase of 35pc compared to August. A visible increase of 106pc in violence in erstwhile Fata and Khyber Pakhtunkhwa (KP) was also observed.

In the wake of clean-up operations by security forces, 17 alleged militants were killed and 18 others apprehended across the country.

However, in Balochistan, a 41pc decrease in militant attacks was reported as compared to August 2022. The devastating flood could be a reason for the decline.

These statistics were released by an Islamabad-based independent think-tank, Pakistan Institute for Conflict and Security Studies (PICSS). It stated that the number of deaths also increased by 8pc compared to August 2022.

“In September, the militants carried out 42 attacks in which 40 people were killed, including 24 security forces personnel, and 77 people were injured, including 19 security forces personnel. Overall 60pc of the deaths were from the security forces which showed that they were the prime target of the militants,” it stated.

In August 2022, the militants carried out 31 attacks across the country, in which 37 people were killed and 55 others injured.

“Peace negotiations with the TTP remained in limbo during the month but due to fear of target killing, top leadership of the group, including its head Mufti Noor Wali, went into hiding. A series of target killing incidents happened in August in which some senior TTP commanders were killed in Afghanistan,” it stated.

In KP, PICSS recorded a 137pc increase in militant attacks compared to August 2022. In September, 19 militant attacks were reported in which 19 people were killed, including 12 security forces personnel while 21 other people sustained injuries.

In response to the increase in terror attacks in previous months, security had been beefed up in the province. Five militant attacks in KP were claimed by TTP. In a security forces action, reported from KP, three alleged militants were killed and another was apprehended.

In the erstwhile Fata, PICSS recorded a 75pc increase in militant attacks compared to August. In September, 14 militant attacks were reported in which 14 people were killed, including 12 security forces personnel, while seven other people sustained injuries. Three militant attacks were claimed by TTP in the region.

Four security forces actions were reported from erstwhile Fata in which eight militants were killed and nine others apprehended.

In Balochistan, a 41pc decrease in militant attacks was reported compared to August 2022. The devastating flood could be a reason for the decline. In September, seven militant attacks were reported in which five people were killed while 47 others sustained injuries.

Out of seven militant attacks, one each was claimed by Balochistan Liberation Tigers (BLT) and BLA. In the security forces' operations, six alleged militants belonging to the self-proclaimed Islamic State (IS) group and TTP were killed.

In Sindh, two terror attacks were reported in which two people were killed and two others injured. Seven security forces' actions were also reported in which eight alleged militants were apprehended.

No incident related to terrorism was reported from Punjab, Islamabad, Azad Kashmir and Gilgit-Baltistan.

SOURCE: DAWN, OCTOBER 3, 2022

Women in CT

FAISAL ALI RAJA

The contribution of women in fight against terrorism is minimal in Pakistan. Apart from socio-cultural barriers, the traditional organisational mindset does not see women as important actors in controlling terrorism especially in disturbed regions and districts. On the other side, terrorists are employing females to expand their reach and actions. For example, in April 2022, a female suicide attacker killed Chinese tutors at the main gate of Karachi University while they were being transported to their classes. The incident has not only changed the threat dynamics in the country but it has also provided a unique narrative to the militants to plan, recruit and extend their networks. Here the female factor in CT field becomes essentially important since these officials can provide a counter-narrative to blunt the communication strategy of terror groups.

The recent uptick in terror activities in Khyber-Pakhtunkwa (K-P) warrants a well-coordinated kinetic response to retard its incidence in the province and beyond. The complex web of terrorism in K-P, a mosaic of crime and terror which emerges in various forms, keeps on challenging the writ of the state. The women in CT can be employed in three distinct areas in K-P.

First, women can become increasingly handy in intelligence collection if deployed intelligently with a proper strategy. They can intermingle with local community and bring forth first-hand information about the specific terror operators or identification of criminal networks including unchecked financial streams in the province. Second, these women can become effective data researchers on terrorism and organised crime. Third, the women in the province can be used for propagating an effective CT communication strategy. Presently K-P CTD has few women who are being used in operations theoretically and their footprints on ground are non-existent. Nearly 720 new posts of CTD have been earmarked for newly merged districts. However, it is feared that no female official may be recruited against these posts.

In Punjab, the female CTD corporals have strong educational backgrounds. However, a limited number has been utilised in investigation or intelligence collection. These women can become CT brand ambassadors in urban areas as well. The ever-increasing challenge of CVE can be effectively dealt with by women especially in extending cooperation to weaker segments of society. The data indicates that there are nearly 123 female corporals, majority of whom are relegated to a sedentary position like monitoring of social media.

Though there exists a limited female staff with administrative assignments in CTD Balochistan, cultural barrier hampers their recruitment in the organisation. The Hazara community has been forthcoming in expending female talents in all fields. Other communities should also be convinced to accept important roles which can be played by female CT officers in Pashtun and Baloch areas as well.

Sindh has a unique challenge of urban and rural terrorism. For it, female recruitment is an essential tool. The female members can be effectively used in detection of sleeper cells in the province. The present unstructured format of CTD Sindh beyond Karachi is a worrying issue which requires both political will and a well-thought-out police strategy. There are about 50 females at junior and senior positions in CTD Sindh. These women are generally posted in offices but have not been utilised for the purpose of investigation. Their presence in interior Sindh is almost non-existent. Moreover, the women can be effectively used to trap and decipher details from militant sub-nationalist elements.

The CTD in Islamabad has 42 female officials who are solely being used for patrolling duties and administrative work. They need to be trained in the art of intelligence collection and CVE for effective action. Unfortunately, no female CT official exists in GB and AJK. These regions are of strategic importance in terms of geographical location and national assets. Hence specific number of female staff is essential while raising such a force.

Though a natural calamity like flash floods causes havoc with human life and property, the extremists also see it as an opportunity for recruitment and radicalise people on multiple grounds. It is therefore important that our CT forces should reach out to the local people to gain their confidence for enhanced social capital. The success in such an endeavour may be augmented if female CT staff is properly employed in the field.

SOURCE: THE EXPRESS TRIBUNE, OCTOBER 4, 2022.

Pakistan Army kills 7 terrorists in separate KP operations

The Pakistan Army killed seven terrorists in two different operations in parts of Khyber Pakhtunkhwa, according to the military's media wing.

A press release from the Inter Services Public Relations (ISPR) said that in the first incident, terrorists fired on a military convoy in the general area of Hassan Khel.

"Troops initiated a prompt response, effectively engaged and killed three terrorists," the ISPR said, adding that the men had "remained actively involved in terrorist activities against security forces" and weapons and ammunitions were also recovered from them.

The ISPR said that during the intense exchange of fire, Lance Naik Muhammad Pannah, 30, resident of Jaffarabad District, and the Frontier Constabulary's Sepoy Shamas Ullah, 36, resident of South Waziristan District, "fought gallantly and embraced martyrdom".

It added that the area was being sanitised to eliminate any other terrorists found nearby.

In the second incident, the ISPR said soldiers killed four terrorists in an exchange of fire in Tank's general area.

The ISPR said security troops had observed the terrorists' movement and subsequently engaged them in combat.

It added that the militants were involved in target killing, kidnapping, and extortion in the area, and weapons and ammunition were recovered from them.

The security situation has further aggravated as the highest number of terror incidents in a single month this year was recorded in September, according to an Islamabad-based independent think-tank, Pakistan Institute for Conflict and Security Studies.

The number of terror attacks increased in September compared to August 2022. The month witnessed 42 militant attacks (the highest in a month in 2022) with an increase of 35 per cent compared to August. A visible increase of 106pc in violence in erstwhile Fata and KP was also observed.

In the wake of cleanup operations by security forces, 17 alleged militants were killed and 18 others apprehended across the country.

Source: Dawn October 4, 2022

Dens of corruption

MOST prisons in Pakistan are a microcosm of the inequitable and exploitative world outside their walls. A probe by the Punjab home department's Provincial Intelligence Centre has found rampant corruption and bribery in Adiala Jail, Rawalpindi, involving several prison officials. According to the report, around 700 convicts are brought to the jail factory for labour work on a daily basis, but some 200 prisoners who pay a bribe of Rs5,000 each are exempted. The document says that "corruption and bribery are in vogue under the patronage" of the official in charge of the prison factory. Two health personnel posted at the jail hospital are also named for their alleged involvement in corrupt practices. The report alleges that only those prisoners who grease their palms are provided relief/facilities at the medical facility and that bribes of between Rs25,000 to Rs30,000 can buy inmates bail on medical grounds. Further, there are some wardens and prisoners running a racket supplying inmates with food items, cigarettes, cash and narcotics in return for bribes. The inequality behind bars has another interesting dimension: two "land mafia prisoners", according to the report, "are being provided VIP protocol" upon payment of incentives to jail staff.

This picture of sleaze and malfeasance in Adiala Jail illustrates the extent of the rot pervading our criminal justice system. Indeed, the culture of extreme inequity being fostered behind bars by criminal-minded prison officials has likely made it a powder keg of anger, frustration and resentment. The above-mentioned report recognises the dangers in allowing the situation to continue, stating that it is "likely to have a negative impact on the law-and-order situation of the jail. The inmates, who are poor and cannot pay bribe money to the corrupt jail officials may turn violent...". Moreover, those incarcerated in such a sordid environment, probably common to many other prisons around the country, are likely to emerge from their experience – whether after serving their sentences or being acquitted at the trial stage – as bitter, broken individuals. Any flicker of humanity, any hope in them for justice in this society would be extinguished. It is also worth mentioning that several of the jail personnel named in the report were earlier dismissed for corruption but found ways, including through political connections, to be reappointed to the same posts. Officials found guilty of malfeasance must be proceeded against and never given another opportunity to abuse their powers.

SOURCE: DAWN, OCTOBER 5, 2022

Spike in terrorism

The TTP's unilateral breach of its ceasefire with the government, coupled with an upsurge in violence in other parts of the country, led to September becoming the worst month this year in terms of terrorist attacks. At least 42 terrorist attacks of varying magnitude were recorded last month, according to data collected by Pakistan Institute for Conflict and Security Studies, an independent think tank. That represents a double-digit increase in the terrorism cases in comparison with the previous month, despite a significant decline in violence in Balochistan, where separatists are responsible for almost all of the terrorist activities. Deaths in terrorist incidents were also up slightly – rising from 37 in August to 42 in September – and injuries also rose.

Meanwhile, attacks in Khyber-Pakhtunkhwa and the ex-Fata areas more than doubled. However, even in Balochistan, some analysts believe it was the floods, rather than improved security or weakness among terrorist groups that led to a decline in terrorist attacks. The statistics also showed that 17 militants were killed and 18 held by security forces. The report also suggested that a significant number of TTP leaders based in Afghanistan were eliminated in a “series of target killing incidents” after the group's leaders went underground. Although no numbers were provided, a timeline may illustrate if the TTP attacks were the cause, or the response, of these ‘eliminations’, or even if it was coincidental. It is also worth noting that the TTP only claimed eight of the attacks recorded in K-P, including the ex-Fata areas, meaning that attacks of other origins also rose.

Among the victims of terrorism, 24 of the 42 people martyred in attacks were security officials – 57% – which the report's authors say is a clear indication that security forces were the terrorists' main target. However, only 19 of the 77 victims that survived with injuries were security officials, meaning that over 75% of these victims were civilians – something that leads us to conclude that ‘soft’ targets remain at significant risk.

Even though the statistical sample is small, the intensity of attacks in the ex-Fata areas also appeared marginally lower than in the rest of the country. Although all of the security forces personnel martyred in September fell in attacks in K-P, the fatalities per incident and the number of injuries were below the national average. And even though attacks in Balochistan were down, it is notable that only two of the seven attacks in the province were claimed. Given the proclivity of Baloch separatist groups to quickly claim attacks – even when incidents turned out to not be attacks but rather cylinder explosions or car accidents – it is a matter of serious concern whether or not these unclaimed attacks were by new groups.

SOURCE: THE EXPRESS TRIBUNE, OCTOBER 7, 2022.

Four injured in Quetta grenade attack

At least four people were injured as a result of a grenade attack on a security check post on Sariab Road.

Police said two people were seriously injured and shifted to the hospital for treatment.

The grenade hurled by unidentified motorcyclists landed on the roadside, injuring four pedestrians, the police said.

Police and FC personnel rushed to the site and shifted the injured to Civil Hospital.

“We have received four injured in the trauma centre,” Dr Wasim Baig said.

Security forces cordoned off the area and launched a search operation and took some suspects for interrogation.

No organisation has claimed responsibility for the attack.

On Sept 17, one person was killed and 13 others, including a woman, were injured when a hand grenade aimed at a security check post exploded close to an auto rickshaw on Sabzal road, a locality on the outskirts of Quetta.

SOURCE: DAWN, OCTOBER 9, 2022

At least 3 killed, 5 injured in Mastung blast



The scenes at a blast site in Mastung

At least three people were killed and five injured when their vehicle was hit by a landmine blast in Balochistan's Mastung district, according to an official.

Assistant Commissioner Dasht Fareeda Tareen told Dawn.com, that the blast targeted people who were visiting the Kabo area to collect the body of a tubewell operator who was killed on Thursday night.

"The operator was murdered last night and his body was abandoned at a deserted place nearby," she said, adding that the vehicle carrying the deceased's relatives hit a landmine, thus causing casualties.

She said authorities were facing difficulties to reach the area due to landmines planted by "certain elements".

Meanwhile, Balochistan Chief Minister Mir Abdul Qudoos Bizenjo expressed grief over the incident and offered condolences to the aggrieved families.

Adviser to the Chief Minister for Home Mir Zia Langove, in a statement, sought a report of the incident from the Mastung deputy commissioner.

“We will foil all such plans by external elements aimed at destroying peace in the province,” he added.

On Sep 30, at least one person was killed and 20 injured in an explosion in the main market of Balochistan’s Kohlu district.

Source: Dawn October 14, 2022.

Terror attacks in Pakistan surge by 51pc after Afghan Taliban victory

Pakistan witnessed a record 51pc increase in the number of terrorist attacks in a single year after the Afghan Taliban came to power in Afghanistan in August last year as a result of the withdrawal of the US forces.

As many as 433 people were killed and 719 injured in 250 attacks in Pakistan between August 15, 2021, and August 14, 2022, Islamabad-based think tank, Pak Institute of Peace Studies (Pips) data revealed.

In comparison, it said, the country witnessed 165 attacks that killed 294 people and injured 598 others from August 2020 to August 14, 2021.

These were some of the findings shared in the fifth issue of Pips' Paper Series released on Wednesday.

The purpose of these analytical papers is to expand the knowledge base of key stakeholders on Pakistan's Afghan perspective, and its role and interest in Afghan peace and reconciliation.

"The mindless jubilation over Taliban victory is now turning into a rude shock because the evolving security situation under the erratic Taliban rule indicates Pakistan is about to face yet another ordeal viz-a-viz terrorism," the think-tank said.

The issue while quoting a United Nations report said there was no sign that the Taliban regime was taking steps to limit the activities of foreign terrorist groups on Afghan soil. It added that as per the UN report foreign terrorist groups based in Afghanistan take the Taliban victory as a motivation to disseminate their propaganda in Central and South Asia, and globally.

Key terror outfits with active presence in Afghanistan include Al-Qaeda, Islamic Movement of Uzbekistan (IMU), East Turkistan Islamic Movement (ETIM), Tehreek-i-Taliban Pakistan (TTP) and Islamic State in Khorasan (IS-K). So far, the Taliban have acted only against the IS-K because it actively challenges the group's rule.

The issue underlined that there was a wave of fear and panic among residents of Khyber Pakhtunkhwa over the reported return of TTP militants from Afghanistan in recent months.

The publication while quoting the United Nations High Commissioner for Refugees (UNHCR) said more than 300,000 Afghans have fled to Pakistan since the Taliban takeover.

The figure contests Pakistani authorities' claim that about 60,000 to 70,000 Afghans entered Pakistan since August last year.

The issue included two papers expected to demonstrate an overall understanding of a variety of viewpoints and positions mainly around emerging events and developments in Afghanistan and their implications for Pakistan and the region.

The first paper, by Ahmed Ali, evaluated the post-US militant landscape of Afghanistan and its implications for Pakistan in terms of insecurity and terrorist violence. Apart from discussing the state's responses to tackle extremism and terrorism, the paper also provided a set of policy recommendations.

The second paper by Urooj Jafri discussed at length Pakistan's challenges and policy responses in the face of Afghan refugees and border control.

The author held with the latest developments, Pakistan, like other countries in the region, officially resisted accepting a new influx of refugees. However, Pakistan still had an opportunity to win the hearts and minds of Afghan people with a sympathetic visa policy and facilitation of cross-border movement.

SOURCE: DAWN, OCTOBER 20, 2022

Right to murder

ASAD RAHIM KHAN

IMAGINE a land not too long ago, and certainly not too far away: a special place. It is weak, it is fraught, it is violent – but then, so are plenty others. What makes this land special is the law it has. Because the law favours the murderer.

Bear in mind the difference: the letter of the law gets the murderer off. Not the system, though it does. Not the lawyers or police or prosecution, though they do as well.

The letter of the law itself springs every last killer in the land, leaving a trail of bloody footprints in their wake. (Some good Samaritans, thus, are more than happy to kill again.)

Imagine, also, that this right to murder has zero bearing on one's freedom. Killers can run free, on a pay-as-you-go basis – it's a wonder our tourism department hasn't played this up yet.

Now imagine this land is your land. After all, what else is common to Raymond Davis, Majeed Achakzai, Qandeel's brother, and now, Shahrukh Jatoi and the Talpur boys? They breathe free air, while their victims rest in the ground.

The trouble with such a place, a dystopia that makes a fetish of its zulm, is that it becomes a living nightmare for those on the wrong end. Because 'compromise' – the sort of word that dead societies use to paper over the enormity of taking a human life – is almost never rejected.

Not by the courts where, barring a few exceptions, it's accepted as a simple way out: a means to close a file, and to dispose of a jumble of facts and lies, in a system already groaning under the weight of thousands of cases.

Not by relatives, now at the mercy of the same killers. Take the case of Fahim, one of the men Raymond Davis shot dead in broad daylight. Fahim's widow came home from her husband's dua and committed suicide. After the doctors pumped her stomach, the last thing she said was that Davis would get away with it.

Take the case of Shahzeb Khan. He was protecting his sister, from beasts with a now-proven capacity for murder. Should he have done something different? Would you?

What makes Shahzeb's case all the more striking is that the fury of the media, public disgust with the murder, the pall of antiterrorism offences, the interventions of two different chief justices, the anger of the attorney general, the fightback by Karachi's civil society, the overwhelming proof of guilt, the concurrent findings of fact by the courts, weren't enough. Jatoi walked.

Much of this goes well beyond the law. For one, it helps to have backers: Davis had the deep state parachute him to safety. Jatoi had the PPP government as his grubby accomplice, as well as a

flock of vultures crying hot tears: about wrongful terrorism charges, about judicial overreach, about middle-class rage.

Apt defences or not, they certainly distracted from one basic fact: that Jatoi sprayed a kid with bullets in the middle of the street, for no other reason than that he could.

It helps to be rich, too: more murder money to give to the heirs, and enough fees for the best defence lawyers. But what power did Qandeel's brother have? What influence? He only needed time and pressure, all the way until the parents broke down.

This is because the power of the blood pardon reigns supreme in Pakistan; all else falls by the wayside. It is now at the bloody heart of our criminal justice system.

We can try and kid ourselves: that over-and-above ways to block those pardons – locking them out when it's an honour killing, or when it's terrorism – will save us. More realistically, that it will save our kids, our parents, our spouse, our siblings.

But honour killing amendments couldn't stop Qandeel's brother from walking free, because the Lahore High Court said it wasn't an honour killing. Terror charges couldn't stop Jatoi from wal-king free, despite three different tiers of courts ruling per terrorism provisions.

In fact, this whole debate is secondary: there was never any doubt, honour or not, that Qandeel's brother was her killer. There was never any doubt, terrorism or not, that Jatoi was Shahzeb's. Blood pardons carried them both over the finish line.

And that's where we are today: this contributor has already written up a history of the blood pardon in these pages. What needs to be done now is to fix it, and make its victims whole.

Since 1990, courtesy this law's many authors – the Afzal Zullah court, the GIK caretaker regime, and Nawaz Sharif's second ministry – Pakistan has sunk into a free-for-all bloodbath.

But the law we have is not reflective of the actual judgement that demanded it, or the vast school of Islamic scholarship to the contrary. Intentional murder must be struck off as a compoundable offence for good, and the Penal Code and CrPC amended. Until then, the courts must reject rigged compromises as the rule rather than the exception; to know that fasad fil arz abounds here.

Because as of now, there is not a single legal protection between a killer and his victim – and that extends to every last Pakistani. Do we keep exchanging money for murder?

SOURCE: DAWN, OCTOBER 21, 2022

FATF removes Pakistan from grey list after 4 years



FATF President Raja Kumar addresses a press conference.

The Financial Action Task Force (FATF), a global money laundering and terrorism financing watchdog, removed Pakistan from a list of countries under “increased monitoring”, also known as the "grey list".

Addressing the press conference at the conclusion of its plenary, FATF President Raja Kumar noted that Pakistan had been on the grey list since 2018.

"It has two concurrent action plans. After a lot of work by Pakistani authorities, they have largely addressed all of the action plan items," he said.

He stated that the task force had conducted an onsite visit at the end of August. The onsite team verified that there is a high-level of commitment from the Pakistani leadership, sustainability of reforms and commitment to make improvements in the future, he said.

"As a result of these action plans, Pakistan has made significant improvements to strengthen the effectiveness of this framework for combating terrorism financing."

Kumar said steps had also been taken to strengthen risk-based supervision of financial and non-financial institutions, improve asset confiscation outcomes, and investigate and prosecute money laundering.

"As a result of this, Pakistan has been removed from the increased monitoring list," he said.

In its handout, the FATF stated that it welcomed Pakistan's "significant progress" in improving its anti-money laundering and combating financing terror (AML/CFT) regime.

"Pakistan has strengthened the effectiveness of its AML/CFT regime and addressed technical deficiencies to meet the commitments of its action plans regarding strategic deficiencies that the FATF identified in June 2018 and June 2021, the latter of which was completed in advance of the deadlines, encompassing 34 action items in total.

"Pakistan is, therefore, no longer subject to the FATF's increased monitoring process," the handout said, adding that the country would continue to work with the Asia-Pacific Group to further improve its AML/CFT system.

'Exiting grey list vindication of our efforts'

Foreign Minister Bilawal Bhutto-Zardari was quick to congratulate the country on the development moments before the FATF press conference began.



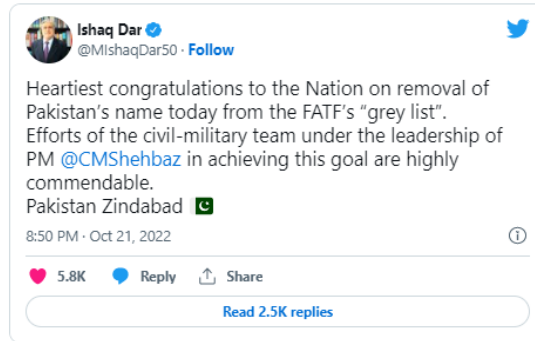
Prime Minister Shehbaz Sharif said Pakistan's exiting the FATF grey list was a "vindication of our determined and sustained efforts over the years".

He congratulated the civil and military leadership as well as all institutions whose hard work led to today's success. "Aap sab ko bohat bohat Mubarak," the premier said, following up with a text smiley.

PM Shehbaz particularly commended the role and efforts of FM Bilawal, Army Chief General Qamar Javed Bajwa, their teams and all political parties for putting up a united front to get Pakistan out of the grey list.



Finance Minister Ishaq Dar said the efforts of the civil-military team, under the leadership of PM Shehbaz, in achieving this goal were "highly commendable".



PPP's Farhatullah Babar said Pakistan's inclusion in the list was "largely because of the perception of running with hare and hunting with the hound in fighting militants".

"Hope lingering perception indeed is corrected and lessons learnt. Congratulations," he said.



Minister of State for Foreign Affairs Hina Rabbani Khar said this "long and arduous journey" had only been made possible through strong political ownership across the political spectrum.

"It shows Pakistan can achieve much when we work together for Pakistan's interest," she said.

"There are many people who consistently worked through the four years to achieve success today. A few of them are here in Paris who were part of the final lap, but many others in a wide array of ministries/organisations/institutions are in Pakistan. I particularly want to congratulate them also," she said.



PTI claims credit

Meanwhile, PTI leaders claimed credit for Pakistan's exit from the grey list. Ex-minister Hammad Azhar said that from October 2018 till March 2022, Pakistan completed all action items related to FATF dual scrutiny.

"The credit goes to our fantastic team of officers in the Centre and provinces from an array of government divisions," he said.



PTI leader Imran Ismail said that the credit for the achievement goes to the PTI government and the team led by former premier Imran Khan, which worked tirelessly.



PTI's Babar Awan shared a picture of the National Assembly in session, stating that this was taken on the day he presented bills related to Pakistan's removal from grey list.

"The imported prime minister and his courtiers stood up and opposed these bills. Pakistanis, do not forget," he exclaimed.



Grey list saga

Pakistan was included among jurisdictions under increased monitoring list in June 2018 for deficiencies in its legal, financial, regulatory, investigations, prosecution, judicial and non-government sector to fight money laundering and combat terror financing considered serious threat to global financial system.

Islamabad made high-level political commitments to address these deficiencies under a 27-point action plan. But later the number of action points was enhanced to 34.

The country had since been vigorously working with FATF and its affiliates to strengthen its legal and financial systems against money laundering and terror financing to meet international standards in line with 40-recommendations of the FATF.

A 15-member joint delegation of the FATF and its Sydney-based regional affiliate – Asia Pacific Group – paid an onsite visit to Pakistan from Aug 29 to Sept 2 to verify the country’s compliance with the 34-point action plan committed with the FATF.

The authorities that had kept the countrywide visit of the delegation low profile later termed it “a smooth and successful visit”. The delegation had detailed discussions with relevant agencies pursuant to the authorisation of onsite Visit by FATF Plenary in June 2022.

According to the Foreign Office, the focus of the visit was to validate on ground Pakistan’s high-level commitment and sustainability of reforms in AML/CFT regime and [it] looked forward to logical conclusion to the evaluation process. The report of FATF Onsite team will be discussed in FATF’s International Cooperation Review Group and plenary meetings.

Pakistan believed that as a result of strenuous and consistent efforts over the past four years, it has not only achieved a high degree of technical compliance with FATF standards but also ensured high level of effectiveness through implementation of two comprehensive FATF action plans.

In June this year, FATF had found Pakistan “compliant or largely compliant” on all the 34 points and had decided to field an onsite mission to verify it on ground before formally announcing the country’s exit from the grey list that finally took place in August and September.

In terms of technical compliance with FATF standards, Pakistan has been rated by APG as “compliant or largely compliant” in 38 out of 40 FATF recommendations in August this year, which placed the country among the top compliant countries in the world.

Last month, the Foreign Office said a FATF technical team had conducted a “successful” visit and Islamabad was expecting a “logical conclusion” of the evaluation process in October.

SOURCE: DAWN, OCTOBER 21, 2022

Growing alienation

BALUCHISTAN'S agony has once again been laid bare before Pakistan's elected representatives. Akhtar Mengal, who heads his eponymous faction of the Balochistan National Party, made a blisteringly forthright speech in the National Assembly last Wednesday.

In it, he pulled no punches about the human rights violations in his province, warning the state that its tactics were sowing the seeds of hatred that would be impossible to eradicate. Indeed, according to him, most Baloch youth have "reached a point of no return". Mr Mengal angrily denounced the fake encounters in the province in which innocent people were killed and presented as terrorists. He referred specifically to the incident in Kharan on Monday, where the Balochistan CTD allegedly killed three missing people they described later as BLA "terrorists".

According to the CTD, the men opened indiscriminate fire on the law-enforcement team and were killed in an hour-long exchange of gunfire. However, the Voice for Baloch Missing Persons chairman said three of the dead men had been identified as missing people; one of them – the leader of a local chapter of the Baloch Students Organisation – had been picked up on June 9, 2021, from Khuzdar.

There is a realisation among much of the civilian leadership that this is an untenable situation. Defence Minister Khawaja Asif, in response to Mr Mengal's speech, acknowledged that remaining in denial of these long-festering wounds would be harmful for any nation. The weight of this baggage, he said, "was getting heavier by the day ... We need dialogue". But who will bell the cat?

The state's neocolonial attitude towards Balochistan – for how else can such utter disregard for its people's fundamental rights and the extractive nature of the state's relationship with the province be described? – is profoundly altering Baloch society. Alienation and despair run deep among its populace. Pakistan's integrity and well-being are linked to all its people being given a fair deal and a just share in resources. Instead, Balochistan has descended into a dystopian hellhole, a laboratory of flawed and shortsighted policies, such as allowing violent extremist groups safe haven in the province as a quid pro quo for them to counter separatist groups.

There have been half-hearted attempts to address Balochistan's grievances – among them 'development packages' under both the PML-N and the PPP governments – but they have all come to naught because Balochistan was not to be allowed real agency over its workings or its resources, and people continued to go missing. And the much-vaunted 'game changer', CPEC, has only exacerbated the sense of marginalisation. Even the approach to the 'angry Baloch' leaders went nowhere.

In any case, today's educated, middle-class insurgents are more likely to despise the powerful Baloch sardars, whom they see as an extension of the state. A truth and reconciliation commission, as suggested at Wednesday's National Assembly session, may be viable, but sincerity is in short supply when it comes to Balochistan.

SOURCE: DAWN, OCTOBER 24, 2022

Policeman killed in gun attack on polio team in Balochistan's Pishin

A policeman guarding a polio vaccination team in Pishin, Balochistan was shot dead by unidentified gunmen, an official said.

Pishin Deputy Commissioner Muhammad Yasir, told that the assailants attacked the vaccination team in the Trat area of Pishin, killing the policeman who was deployed to guard the vaccinators.

Yasir said the polio team workers remained unhurt in the attack.

The deceased was identified as constable Muhammad Hashim. His body was shifted to Quetta for medico-legal formalities.

According to the DC, the police have started a search operation in the area to arrest the attackers.

Attacks on polio vaccination teams are not an uncommon occurrence in the country. In August this year, two policemen guarding a polio vaccination team were shot dead by unknown assailants in Khyber Pakhtunkhwa's Tank district.

The incident comes as a five-day anti-polio campaign is underway in 426 union councils of 19 districts of Balochistan.

Pakistan, Afghanistan and Mozambique remained the only three countries where poliovirus cases are being reported. This year, they have reported 19, two and seven cases, respectively.

SOURCE: DAWN OCTOBER 25, 2022

Two suspected suicide bombers killed in D.I. Khan

Two alleged suicide bombers were killed and six security personnel were wounded in two separate attacks. In D.I. Khan, two alleged bombers were killed after an intense exchange of fire as they attempted to attack a peace committee chief on Monday, the police said.

The attackers, wearing explosive jackets, came in a motorcycle-rickshaw and tried to attack the office of Noor Alam Mehsud at Irfan Colony on D.I. Khan-Bannu road, a police official said.

The police, which had intelligence information about a possible suicide attack on Mr Mehsud, intercepted the attackers. In the subsequent exchange of fire with the Counter Terrorism Department (CTD) personnel, the alleged attackers were killed, district police Spokesperson Imtiaz Baloch said while talking to Dawn.

He added Mr Mehsud and his nephew Siraj Mehsud were present inside the office at the time of the attack. Soon after the incident, a heavy contingent security personnel reached the spot and cordoned off the area. They also took the bodies into custody.

The identity of the attackers was yet to be ascertained and Nadra's help has been sought for the purpose. The police claimed that two Kalashnikovs, two SMGs, seven magazines, seven hand grenades and 70 cartridges have been recovered from their possession.

Meanwhile, a joint investigation team of D.I. Khan police and the CTD, led by D.I. Khan DPO and CTD SP is investigating the incident.

In a separate attack, at least six security personnel were wounded when their vehicle was attacked by militants near Peerwala Mor in Lakki Marwat.

Police officials claimed the militants attacked the vehicle with rockets and assault weapons which badly damaged it. The injured personnel were moved to the district headquarters hospital, a rescue official confirmed

After the attack the security forces and police launched a search in the area to capture the attackers. "The law enforcers are combing dense forests along the river to hunt down the militants," a police official said.

This was the second attack on security personnel in the district during the last two days. On Monday, terrorists had targeted a police van in a bomb attack near Abdulkhel area. The attack resulted in an exchange of fire in which one alleged terrorist was killed.

SOURCE: DAWN, OCTOBER 26, 2022

A victory for human rights

RIMMEL MOHYDIN

JUSTICE eludes most of us, wherever we are. In Pakistan, it barely ever makes a stop. Even when there is a glimmer of accountability, it is ephemeral. Convicted murderers flash victory symbols as they get escorted out of prison into their homes.

Rapists return to the same communities they violated with their heads held high. A legally binding sentence that promises retribution is met with cynicism. That despite a conviction, perpetrators will walk away; unpunished, unreformed.

The tragedy is the wide acceptance of this as fact. That this is the entirely predictable outcome of a criminal justice system that is overburdened, resource-strapped, dogma-driven, corruption-riddled, and beholden to bureaucratic red tape that simply cannot be untangled. Some point to the legal infrastructure itself. The laws, meant to protect victims, are often called 'too weak'.

Laws that enable the might of the state are ironclad and inescapable. Laws, that are the need of the hour, are often lost as nascent draft bills, somewhere between the Senate and National Assembly. Most never resurface again. It is what it is, we whisper to ourselves. Que sera sera, the state responds.

Only this week, 12 years after it committed to do so, Pakistan finally passed the Torture and Custodial Death (Prevention and Punishment) Bill. Now it's over to President Arif Alvi to sign it into law.

This is, by no means, a small feat. A hard-fought win for rights groups, victims, the National Commission on Human Rights and leaders like Senator Farhatullah Babar, Dr Shireen Mazari, Senator Sherry Rehman, Maiza Hameed and Farooq Naek who have helped push the boulder up the hill. It is commendable and establishes a clear, codified position against torture at the very top.

The consequences of not having done so until now have been deadly and the lack of a specific criminal offence for torture over the years, which reflects the gravity of the violation, has been tantamount to an unforgivable silence.

Silence that has doubled as an endorsement of the violence that befalls the most vulnerable, resulting in mass desensitisation. We watch grainy videos of victims, click our tongues, and keep scrolling, hoping it doesn't happen to us.

This public apathy depletes the political cost of letting torture continue, enough to distract the many political leaders sitting in Islamabad today, many of whom are no strangers to torture and its rampant use. Some have alleged being victims themselves.

Earlier this summer, Dr Shahbaz Gill was seen howling as he was transported between prisons, courts and hospitals. The current minister of interior told journalists in 2003 that his head, eyebrows and moustache were shaved in between beatings with rods, in a bid to humiliate him. Most recently, Azam Khan Swati says that the Federal Investigative Agency stripped and beat him following his arrest over a tweet.

The widespread social, political and cultural acceptance of torture demonstrates the value we place on human life and dignity. It is a cheap commodity, misappropriated for political capital, fast but wrongful convictions and the continued oppression of those living in poverty. The result of the dubious legal status of torture has been no accountability, no remedy, and only more cases of its use.

The response to the criminalisation has been muted, drowned in news of political machinations. We seem to have an infinite supply of crises that can be pulled out to distract from ongoing issues that truly are a matter of life and death. If a third of the country is under water, we will instead choose to look at the voting rights of Pakistanis living away on dry, unflooded land.

If inflation is up by over 27 per cent, we will instead obsess over adding a discriminatory clause in marriage registration certificates. If disease is rearing its ugly head in our homes, we will divert public funding to see which party can post the biggest advertisement for their next rally. But we cannot allow our attention to be swayed. If there had been more eyeballs over the fact that neither the Pakistan Penal Code nor Pakistan Criminal Penal Code specifically mention torture, perhaps every reported custodial death could have been a turning point.

There is a reason why the UN Committee Against Torture stated in General Comment 2 that the UN Convention Against Torture requires that the offence of torture be named and defined, as distinct from 'common assault'. It is to alert victims, perpetrators and the public of the special gravity of torture, its coercive and asymmetric nature, how human beings are turned into the fish in the proverbial barrel for the police to shoot at. Keeping an eye on policy matters gravely, even if it is not there in the headlines – which will almost always turn to the loudest nothing burgers.

But perhaps another reason for the subdued reaction is that the battle-worn people of Pakistan do not have much use for a piece of paper that promises them protection. After all, what's another law in our lawless land? However, what they do have use for, is that the people who wrote that paper to ensure that promise is fulfilled. That complaint and investigative mechanisms are smooth, swift and presume their innocence. That perpetrators are brought to justice through enhanced scrutiny, regulation and oversight. That those entrusted with enforcing the law do not break it. Legislation has never been the panacea it is often touted as, but it is the right place to begin. We stand atop a mound of bodies, broken bones and buried inquiries to carefully inspect what happens when President Arif Alvi sets his pen down. The conversation and conversion of the government around torture must be heard by public officials in police stations and prisons. They must all think twice when they mull over their investigative tools. If they do it right, perhaps justice might find her way to Pakistan after all.

SOURCE: DAWN, OCTOBER 27, 2022

2 army soldiers martyred in exchange of fire with terrorists in Dera

Two army soldiers were martyred during an exchange of fire with terrorists in Dera Ismail Khan, according to a press release from the military's media wing.

The Inter Services Public Relations press release said that army troops engaged terrorists in DI Khan's Darazinda area, during which 33-year-old Naik Sajid Hussain from Khushab and 26-year-old Sepoy Muhammad Israr from Attock were martyred.

"Sanitisation of the area is being carried out to eliminate any terrorists," the press release added.

On Tuesday, two alleged bombers were killed after an intense exchange of fire as they attempted to attack a peace committee chief. The attackers, on a motorcycle-rickshaw and clad in explosive jackets, attempted to attack the office of Noor Alam Mehsud at Irfan Colony on DI Khan-Bannu road, a police official said.

A day prior on Monday, the counter-terrorism department killed a wanted terrorist during an operation in Garah Guldad village of Kulachi tehsil in DI Khan district.

Source: Dawn, October 29, 2022.

Jirga refuses to back military operation, form peace force

A grand jirga of elders and politicians from all parts of Malakand division declared that “we shall neither form a peace force” to combat militants nor would “we support any military operation”.

The declaration said the jirga had “reservations” over the acts of terrorism, extortion and lawlessness over the last five months in Malakand division.

The jirga called upon the state to identify the elements involved in terrorist acts and killing of innocent people. “The state should deal with militants with an iron hand.”

The jirga also criticised an “irresponsible” statement by Khyber Pakhtunkhwa government spokesman Barrister Mohammad Ali Saif, who earlier claimed the proscribed Tehreek-i-Taliban Pakis-tan was not behind targeted killings and extortion incidents in the province. It said a grand jirga of elders at divisional level would be formed through voting to take measures for durable peace.

The jirga vowed to condemn with one voice, regardless of political affiliation, any untoward incident in any part of Malakand division.

The jirgas at district level would be encouraged to launch campaigns for peace and to raise political awareness.

According to the declaration, all districts of Malakand division would be given an equal presentation in the “grand Jirga”. It said that the grand Jirga would work for resolving local disputes that tended to disrupt peace in the region.

A meeting of the political parties, civil society and elders from Swat, Lower Dir, Upper Dir, Malakand, Buner and Chitral was organised by the Dir Qaumi Pason (DQP), a body of elders, at Chakdara last week.

Political leaders, representatives of civil society and local elders attended the meeting. Malik Jehan Alam, the DQP chief, MPA Haji Bahadar Khan, former provincial minister Muzafar Said, former MNA Sahibzada Yaqub Khan, PML-N divisional president Malik Jehan Zeb Khan, former MPA Malik Behram Khan, ANP senior vice president Hussain Shah Yousafzai, JUI-F district chief Ameer Siraj ud Din and others.

The meeting also decided to form a grand jirga in Malakand division for the establishment of peace and harmony. The speakers said the nation would neither form a peace army nor fight against the militants.

They said that it was the sole responsibility of the state and its institutions to provide protection of the lives and property of the people against the elements that disrupted peace and order. They said that terrorist acts, complaints of extortion and lawlessness in the last five months in Malakand Division had worried the masses.

They said the aim of the event was to ensure the establishment of peace in the entire Malakand division and to ensure the protection of life and property of the people, for which the people would have to get united.

SOURCE: DAWN, OCTOBER 31, 2022.

Ending custodial torture

SMAM MIR

It has taken 75 years for Pakistan to enact legislation that comprehensively criminalises custodial torture. With the Torture and Custodial Death (Prevention and Punishment) Act, 2022, awaiting only presidential assent, Pakistan is on the verge of a milestone representing a seismic shift away from decades of indifference to torture committed by public officials.

A look at Pakistan's fragmented domestic framework on custodial torture prior to the new law reflects a muddled situation. Articles 10A and 14 of the Constitution provide only a rudimentary legal structure enshrining the right to fair trial and the dignity of man. Article 14(2) provides the only explicit mention of torture in the Constitution but prohibits such an act when committed "for the purpose of extracting a confession" only. The Constitution may provide a sturdy enough base but, in the absence of supplementary, comprehensive legislation, there had remained lacunae.

Hitherto, there had been no definition of torture under Pakistani law. The PPC criminalises specific acts that are ancillary to torture such as assault, murder and wrongful restraint. While this meant that certain acts overlapping with some aspects of torture could be triable, there remained a disjointed framework bereft of a torture-centric lens: one that was scattered, inaccessible and prone to incompletely recognising all forms of torture. Many of these offences under the PPC were compoundable: that is, a compromise could be effected. This allowed officials to escape accountability.

Similarly, while Police Order 2002 and the KP Police Act 2017 impose penalties on personnel for inflicting custodial torture, they come with caveats. For one, neither propose to even define the notion of torture they seek to penalise. To add shade to our sombre silhouette, these provisions are inapplicable outside Punjab and KP and even then apply only to police officials, thereby providing *carte blanche* to other authorities.

Even when the stars did align and one found themselves in the correct province and offended by the right authority, imposing a five-year imprisonment ceiling meant that cases resulting in extreme scenarios, such as death, never saw punishment commensurate with the offence's gravity.

What remained was an inadequate framework that let law enforcement agencies operate with impunity. This comes as no surprise: a legal framework operating with little coherence had no way to consistently call foul play.

Meanwhile, a study on allegations of custodial torture by Justice Project Pakistan found that of the 1,876 medico-legal certificates assessed, 76 per cent showed "conclusive signs of abuse". The

physicians found that the police had beaten, suspended, crushed and even sexually abused individuals. Abuse in custody, however, was likely much more prevalent than the study suggested: the cases considered included only individuals who had been willing to come forward.

Much of the impunity stems from authorities operating with little oversight. Allegations of custodial torture are registered and investigated by law-enforcement agencies themselves. In what is an inherently biased system, police may refuse to register a complaint or obfuscate matters, leaving complainants vulnerable, with no access to justice. Cases that progress hardly go beyond departmental inquiries that result in meagre sanctions such as fines.

Beyond cases that go viral, or ones that involve an acquaintance's forlorn retelling of their experience with the chittar, the truth is that custodial torture is accepted as a necessity for official activities. Finding some sympathy with this strained view, however, would be antithetical to the bedrock of citizens' social contract and the inherent fundamental rights it upholds.

The Committee Against Torture, the monitoring body of the UN Convention Against Torture, observed as much and, in reminding Pakistan of its international obligations, stressed that its commitments under the Convention compelled it to make the offence of torture specifically punishable in accordance with the Convention's definition, as "distinct from common assault or other crimes". And after a terrifyingly nonchalant display of an Initial State Report to the committee submitted four years late and the lapsing of numerous bills, we have broken through the barrier.

That is why the Act is important. Against all the odds, we find ourselves on the brink of a new dawn. Upon presidential assent, Pakistan will, for the first time in its history, have codified legislation that defines and criminalises torture, making it a non-compoundable and non-bailable offence. The law puts in place a mechanism for witness protection and brings, in the form of the NCHR, an independent watchdog to supervise investigations into torture. While the Act may not be infallible, it is imperative to recognise how far we have come and why the ball must be kept rolling.

SOURCE: DAWN, OCTOBER 31, 2022.

Serious allegations

SENATOR Azam Khan Swati's allegations against two senior officers working for the nation's top intelligence agency are very serious and require clarification from the military top brass. Mr Swati was taken into custody by the FIA earlier this month after he posted a controversial tweet critical of the military leadership.

On Friday, the PTI senator named names, claiming he was physically tortured by two senior ISI officials. The interior minister, however, denies Mr Swati's charges, saying the lawmaker was treated "respectably" during custody. Moreover, PTI supremo Imran Khan also took up the issue as he launched his 'long march' from Lahore, saying that the two intel officers Mr Swati had identified should be removed.

To bring clarity to the matter, a thorough probe is needed. After all, when the ISI chief made an unprecedented appearance in front of the media on Thursday, he repeatedly made references to the law and the Constitution. Therefore, when such serious allegations are being made against national institutions, the only way to resolve this issue is through transparency and pledging to respect the law.

State institutions are guardians of the law and need to lead by example. The fact is that in Pakistan, from the local thana to the 'safe houses' of the security establishment, torture and violence during custody are not unknown practices. While ordinary folk are meted out this abhorrent treatment quite frequently, when lawmakers and other members of the elite are subjected to torture in custody, it becomes headline news.

Perhaps keeping in mind this grim reality, the Senate has recently passed a bill criminalising torture in custody. To ensure the rule of law, it is imperative that all security institutions, including the police and intelligence apparatus, pledge to eliminate torture as part of their SOPs. The Azam Swati incident can be a test case; let the authorities investigate and if his claims are proven true, then those responsible must be made to answer before the law.

SOURCE: DAWN, OCTOBER 31, 2022.