

SENATE OF PAKISTAN HOUSE OF FEDERATION

Report No. 8 of the Committee



REPORT OF THE FUNCTIONAL COMMITTEE ON HUMAN RIGHTS ON “THE
TORTURE ON TWO BOYS, WHO WERE SUBJECTED TO BRUTAL TORTURE BY
ISLAMABAD POLICE AND WERE FORCED TO CONFESS VARIOUS CRIMES”
REFERRED BY THE HOUSE IN ITS SITTING HELD ON 15TH FEB, 2017

PRESENTED BY
SENATOR NASREEN JALIL
CHAIRPERSON

SENATE SECRETARIAT

Subject:- REPORT ON "TORTURE ON TWO BOYS, WHO WERE SUBJECTED TO BRUTAL TORTURE BY ISLAMABAD POLICE AND WERE FORCED TO CONFESS VARIOUS CRIMES, REFERRED BY THE HOUSE IN ITS SITTING HELD ON 15TH FEB, 2017"

I, Senator Nasreen Jalil, Chairperson Senate Functional Committee on Human Rights have honour to present, on behalf of the Committee, the report on "torture on two boys, who were subjected to brutal torture by Islamabad Police and were forced to confess various crimes", referred by the house in its sitting held on 15th Feb., 2017.

2. The agenda before the Committee was "Consideration of the torture on two boys, who were subjected to brutal torture by Islamabad police and were forced to confess various crimes, referred by the House in its sitting held on 15th Feb, 2017.

3. The composition of the Committee is as under:-

i.	Senator Nasreen Jalil	Chairperson
ii.	Senator Ms. Sitara Ayaz	Member
iii.	Senator Dr. Jehanzeb Jamaldini	Member
iv.	Senator Muhammad Mohsin Khan Leghari	Member
v.	Senator Mufti Abdul Sattar	Member
vi.	Senator Mir Kabir Ahmed Muhammad Shahi	Member
vii.	Senator Nisar Muhammad	Member
viii.	Senator Mrs. Sehar Kamran	Member
ix.	Senator Aitzaz Ahsan	Member
x.	Senator Farhatullah Babar	Member
xi.	Senator Zaheer ud Din Babar Awan	Member
xii.	Senator Ms. Samina Abid	Member

4. Accordingly, the issue was discussed in the meeting of the Functional Committee on Human Rights held on 7th March, 2017. The following Members attended the meetings.

5.

i.	Senator Muhammad Mohsin Khan Leghari	Acting Chairman
ii.	Senator Sitara Ayaz	Member
iii.	Senator Ms. Samina Abid	Member
iv.	Senator Mir Kabir Ahmed Muhammad Shahi	Member
v.	Senator Mrs. Sehar Kamran	Member

6. The Committee thoroughly discussed the subject matter. The uncle of one of the boys attended the meeting and briefed that the two boys (Zohaib Khan, 14 and Asfandyar Abbasi 15) were picked by the Police from Karachi Company, Islamabad and shifted to Karachi Company Police Station, where they were searched. He added that their mobile phones and cash along with a toy pistol was recovered. He also added that not only were they stripped but were also subjected to torture and forced to confess to robbery.

7. The S.S.P Islamabad Mr. Sajid Kiyani admitted that the facts/allegations narrated by the uncle of the boy, were correct and the Police officials committed wrong. The competent authority had held inquiry and 5 Police Officials, including SHO of Police Station G/9, were found guilty. They were suspended and Show Cause notice was also served to them, and they would be terminated from service according to law. Committee appreciated the candid admission by the Islamabad Police of the wrongdoing by the Police Officials and taking of prompt action against the wrong doers. The Committee strongly recommended that besides termination from service, proper case should be initiated against the offenders and Senate Secretariat should be intimated the progress of the case.



(Malik Arshad Iqbal)
Secretary Committee



(Senator Muhammad Mohsin Khan Leghari)
Acting Chairman Committee

SENATE SECRETARIAT

Subject:- MINUTES OF THE MEETING OF SENATE FUNCTIONAL COMMITTEE ON HUMAN RIGHTS

A meeting of the Senate Functional Committee on Human Rights was held under the Chairmanship of Senator Muhammad Mohsin Khan Leghari on 7th Mar, 2017 at 1:30 P.M. in Committee Room No. 4, Parliament House, Islamabad.

2. The following Members of the Committee attended the meeting:-

i.	Senator Sitara Ayaz	Member
ii.	Senator Ms. Samina Abid	Member
iii.	Senator Mir Kabir Ahmed Muhammad Shahi	Member
iv.	Senator Mrs. Sehar Kamran	Member

3. The agenda before the Committee was as under:-

- i. Consideration of a Private Member Bill, "the Transgender Persons (Protection of Rights) Bill, 2017" referred by the House, in its sitting held on 9th Jan, 2017. (Copy Encl)
- ii. Consideration of "The National Commission on the rights of the Child Bill, 2017", referred by the House in its sitting held on 17th Feb, 2017.
- iii. Consideration of the torture on two boys, who were subjected to brutal torture by Islamabad police and were forced to confess various crimes, referred by the House in its sitting held on 15th Feb, 2017.
- iv. Finalization of the report on torture on child maid Tayyaba, referred by the House, in its sitting held on 9th Jan, 2017.
- v. Any other agenda item with permission of the Chair.

4. The meeting commenced with the recitation of the Holy Quran. The Chairperson Committee, Senator Nasreen Jalil couldn't attend the meeting due to death of her husband. The Committee offer *Fatiha* for the deceased and prayed that may Allah rest his soul in eternal peace. Thereafter, the Members Committee requested Senator Muhammad Mohsin Khan Leghari, to chair the meeting. The Convener of the Committee, Senator Muhammad Mohsin Khan Leghari, welcomed all the Members Committee, Secretary Ministry of Human Rights, Deputy Draftsman,



Ministry of Law and Justice, and other officers and officials from Ministry of Human Rights, Representative of the Transgender Community and Islamabad Police who attended the meeting.

5. Discussing the agenda item No. II "The National Commission on the rights of the Child Bill, 2017". The Committee read all the clauses of the Bill, and found that there are some typographic mistakes and technical lacunas in the Bill. The Committee expressed its view that Child member of the "National Commission on the Rights of Child" should be increased to 2 Members by mentioning their age not less than 15 years. During discussing the Convener of the Committee Senator Muhammad Mohsin Khan Legahri, shared his view point that the laws shouldn't be open ended. He further added that the time period for making rules of the Commission should be time bounded, so that the institution wouldn't be non-starter. Another suggestion was also floated by the Members during the meeting that among the 2 child members of the Commission one should be girl. However, the Committee deferred the matter till next sitting for extensive deliberation on the subject matter.

6. Coming to the agenda item No. III. i.e. (Torture on two boys, who were subjected to torture and were forced to confess crimes, referred by the House on 15th Feb, 2017) The Committee thoroughly discussed the subject matter. The uncle of one of the boys attended the meeting and briefed that the two boys (Zohaib Khan, 14 and Asfandiyar Abbasi 15) were picked by the Police from Karachi Company, Islamabad and shifted to Karachi Company Police Station, where they were searched. He added that their mobile phones and cash along with a toy pistol were recovered. He also added that they were stripped and were not only subjected to torture throughout the night but were also forced to confess robbery.

7. Replying to the Committee. The S.S.P Islamabad Mr. Sajid Kiyani confessed to the Committee that the facts/allegations narrated by the uncle of the boy, is correct and the Police officials committed wrong. The competent authority held inquiry and 5 Police Officials, including SHO of Police Station G/9, were found guilty. They were not only suspended but Show Cause notice was also served to them and they will be terminated from the service. Committee appreciated the candid version of the Islamabad Police by confessing the wrong done by the Police Officials and took prompt action against the wrong doers. The Committee also urged that besides termination from service proper case should be initiated to punish the culprits

as per law. The Committee decided to dispose of the case and present the report of the matter in the House.

8. Agenda Item No. I, was deferred due to non-attendance of Mover and start of the Senate Session. However, the Committee acknowledged the presence of representatives of the Transgender Community and vowed to extensively deliberate upon the matter in the next meeting.

9. The Committee finalized/approved the report of the Committee on Tayyaba Case to be presented in the House. The participants of the meeting asked to give strong directive, but the Convener of the Committee was of the view that the matter was *sub judice* and the Committee should not recommend anything in this regard.

10. After detailed discussion and deliberation the Committee recommended as follows:-

- i. The Committee requested the transgender/ representatives of Transgender Community to attend the next meeting in order to discuss the "Transgender Bill".
- ii. The Committee appreciated the candid version of the Islamabad Police by confessing the wrong done by the Police Officials and for taking prompt action against the wrong doers.
- iii. The Committee decided to dispose off the case referred by the House on "torture on two boys, who were subjected to brutal torture by Islamabad police and were forced to confess various crimes" and present the report of the matter in the House.
- iv. The Committee Strongly recommended that the police officials involved in the forced confession of the minors and torture; should be taken to task and proper cases should be initiated to punish the culprits as per law.
- v. The Committee decided to further deliberate upon the "The National Commission on the rights of the Child Bill, 2017" in the next meeting.

11. The meeting ended with a vote of thanks to and from the Chair.



(Malik Arshad Iqbal)
Secretary Committee



(Senator Muhammad Mohsin Khan Leghari)
Convener of the Committee