INTRODUCED ON 02-02-2015

[AS INTRODUCED IN THE SENATE]

Α

Bill

to provide for the protection and security of the citizens of Pakistan and any other person for the time being residing in Pakistan, from torture or any other variant thereof:

Whereas, Pakistan is a signatory to the Convention Against Torture And Other Cruel Inhuman or Degrading Treatment or Punishment (resolution 39/46 of IOth December 1984);

And Whereas, the Constitution of the Islamic Republic of Pakistan, 1973, provided for and guarantees the dignity of man in Article 14;

And Whereas, no law against the commission of torture has been enacted;

And Whereas, it is expedient to enact a law for the purposes of making all acts of torture by any person an offence and for providing the prevention thereof;

It is hereby enacted as follows: -

- **1. Short title, extent, application and commencement.** (1) This Act may be called the Torture and Custodial Death (Punishment) Act, 2014.
 - (2) It extends to the whole of Pakistan.
- (3) It shall apply to all of citizens of Pakistan, all persons in Pakistan and all persons who are or have been in service of Pakistan wherever they may be, including areas which are part of Federally and Provincially Administered Tribal Areas.
 - (4) It shall come into force at once.
- **2. Definitions.** In this Act, unless there is anything repugnant in the subject or context,—
 - (1) "Convention" means the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;
 - (2) "Court" means the Sessions Court;
 - (3) "Custodial death" means the death of a person in the custody of a public servant or any person acting on his behalf and such death is caused due to an act constituting an offence under this Act:—
 - (i) the term 'custody' includes—
 - (a) all occasions where a person is detained by a public servant or any person acting on his behalf, irrespective of the legality, nature and the place of detention;

- (b) judicial custody and all other forms of temporary or permanent restraint upon the movement of a person by law, or by force or by other means enforced by a public servant or any person acting on his behalf; and
- (c) death occurring whilst a person is being arrested or taken into detention or being questioned;
- (ii) In all cases where the death of a person occurs within seventy-two hours after his release from 'custody':

Provided that the cause of death can be attributed to acts committed upon the deceased by a public servant or anyone acting on his behalf while the deceased was in custody;

- (iii) "custodial death" may have taken place in police, private or medical premises, in a public place or in a police or other vehicle or in jail;
- (4) "Government" means the Federal Government;
- (5) "law enforcement agencies" means uniformed and disciplined forces of the government like the Police, Customs, Immigration, Intelligence Agencies, Central Bureau of Investigation, and any other Provincial or Federal Government Agencies engaged in the enforcing and implementing the law in the country;
- (6) "public servant" means persons falling under section 21 of the Pakistan Penal Code, 1860 and includes personnel of law enforcement agencies;
- (7) "torture" means any act or omission which causes pain, whether physical or mental, to any person; and being in every case, an act that is done by or at the instigation of, or with the consent or acquiescence of, a public servant or any person acting on his behalf,-
 - (i) for such purposes as—
 - (a) obtaining from that person or some other person information or a confession; or

- (b) punishing that person for any act or omission for which that person or some other person is responsible or is suspected of being responsible; or
- (c) Intimidating or coercing that person or some other person; or
- (ii) for any reason based on discrimination of any kind;
- (iii) for the purposes of this Act, torture shall include any act, omission or commission in respect of a woman or child where such act—
 - (a) harms or injures or endangers the health, safety, life, limb or wellbeing, whether mental or physical, of a woman or tends to do so and includes causing physical abuse, sexual abuse, verbal and emotional abuse; or
 - (b) harasses, harms, injures or endangers a woman;
 - (c) has the effect of threatening the woman or any person related to her by any conduct mentioned in sub-paragraphs (ii) or (iii) of paragraph (7); or
 - (d) otherwise injures or causes harm, whether physical or mental, to a woman;

Explanation. - For the purpose of this section, -

- (i) "physical abuse" means any act or conduct which is of such a nature as to cause bodily pain, harm, or danger to life, limb, or health or impair the health or development of a woman and includes sexual assault, rape, criminal intimidation and criminal force;
- (ii) "sexual abuse" includes any conduct of a sexual nature that abuses, humiliates, degrades or otherwise violates the dignity of woman;
 - (a) insults, ridicule, humiliation, name calling and insults or ridicules;
 - (b) repeated threats to cause physical pain to any person who is related to the woman; and

- (8) "victim" or "aggrieved person" means any person who alleges that an offense under this Act has been committed upon him or upon a person he is concerned about. The word "woman" or "child" as applied in section 2(7) (iii) shall be construed as a "victim" or "aggrieved person".
- **3. Jurisdiction of court**.— (1) No court inferior to that of a Sessions Court shall have the jurisdiction to try an offence under this Act committed in any place within Pakistan.
- (2) The jurisdiction of the Sessions Court in respect of an offence committed under this Act shall also extend to a person who is not a citizen of Pakistan but is for the time being in Pakistan or outside the territory of Pakistan having committed offence in Pakistan.
- 4. Complaint to the Court.— (1) Any person who wishes to file a complaint in respect of torture either concerning him or a third person may do so to the Court having jurisdiction upon the place of residence of the complainant or where the crime has been allegedly committed or to a District Office of the National Crime Control Agency which shall immediately transmit the same to the concerned Sessions Court.
 - (2) Upon receipt of a complaint the Court shall,-
 - (a) record the statement of the person on oath immediately which shall be signed by the complainant as well as the Court; and
 - (b) direct the person or body of the person, to be examined by a registered medical practitioner immediately:

Provided that where the person is a female, the examination shall be made only by or under the supervision of a female registered medical practitioner.

- (3) The registered medical practitioner examining the person shall prepare the record of the examination, mentioning therein any injuries or marks of violence upon the person, and the approximate time when such injuries or marks might have been inflicted.
- (4) Where an examination is made under sub-section (3), a copy of the report of the examination shall be furnished by the medical practitioner to the person examined or to the person nominated by the person examined and also to the court within twenty-four hours.

- (5) If the medical practitioner is of the opinion that the person examined requires medical treatment, the Court shall direct the person to be admitted in a hospital.
- **5.** Court may direct registration of case.— (1) After recording of the statement as mentioned in paragraph (a) of sub-section (2) of section 4, the Court shall immediately forward a copy of the statement, to the District Investigation Officer under his jurisdiction with an order to register a case and investigate it.
- (2) The District Investigation Officer shall complete the investigation within a period not exceeding sixty days from the receipt of such an order, and file a report to the Court.
- (3) In case investigation is not completed within the stipulated period, the District Investigation Officer shall submit an application to the Court having jurisdiction to try the case, specifically mentioning the grounds for the extension of time:

Provided that such extension shall not be granted without hearing the victim or aggrieved person.

- (4) The Court shall issue notice to the victim or aggrieved person to file any objection within seven days.
- (5) If the Court is of the opinion that an extension is not warranted, it shall deny the same.
- (6) A decision concerning the application seeking extension shall be made within ten days from the date of filing of the application.
- (7) The trial of an offense punishable under this Act shall be completed within six months from the date of filing of the report against the accused.
- (8) The officer while filing the report must serve an advance written notice with a copy of the report to the person whose statement was recorded by the Court under paragraph (a) of sub-section (2) of section 4, informing the person, the date and Court in which the report is filed.
- (9) A person receiving a notice under sub-section (8) may file objection, personally or through a lawyer, in the Court within thirty days from the date of notice which shall be decided within fifteen days.
- **6. National Crime Control Agency**.— (1) The Federal Government shall, for the purposes of investigating crimes committed under this Act constitute a National Crime Control Agency and all crimes under this Act shall be investigated by the Agency.

- 7. Chairman National Crime Control Agency.— (1) There shall be a Chairman, National Crime Control Agency, to be appointed by the President for a non-extendable period of four years on such terms and conditions as may be determined by the President and shall not be removed except on the ground of removal of a Judge of High Court.
 - (2) A person shall not be appointed as Chairman unless he,-
 - (a) is a retired Judge of a High Court; or
 - (b) is a retired Federal Government Officer in BPS-22;
- (3) As and when the office of the Chairman is vacant or the Chairman is absent or unable to perform the functions of his office due to any reason whatsoever, the Deputy Chairman will act as the Chairman, and in case the Deputy Chairman is also absent or unable to perform the functions of the office, any officer of the National Crime Control Agency duly authorized by the Chairman, shall act as Chairman National Crime Control Agency.
- (4) The Chairman may resign his office by writing under his hand addressed to the President.
- **8. Deputy Chairman National Crime Control Agency.** (1) There shall be a Deputy Chairman, National Crime Control Agency, to be appointed by the President in consultation with the Chairman, National Crime Control Agency. The Deputy Chairman shall assist the Chairman in the performance of his duties and shall carry out such functions as may be directed by the Chairman.
 - (2) A person shall not be appointed as Deputy Chairman unless he,-
 - (a) is or has been a retired District and Session Judge; or
 - (b) is or has been a Federal or Provincial Government officer in BPS-21.
- (3) The Deputy Chairmen shall hold office for a non-extendable period of three years and shall not be removed except on the ground of misconduct as defined in sub-rule (4) of rule 2 of the Government Servants (Efficiency and Discipline) Rules, 1973.
- (4) The Deputy Chairman may resign his office by writing under his hand addressed to the President.
- **9.** Prosecutor General National Crime Control Agency.— (1) The President of Pakistan, in consultation with the Chairman, National Crime Control Agency, may appoint any person, who is qualified to be appointed as a Judge of the High Court, as Prosecutor General, National Crime Control Agency.
- (2) The Prosecutor General shall hold independent office on whole time basis and shall not hold any other office concurrently.

- (3) The Prosecutor General shall hold office for a non-extendable period of three years.
- (4) The Prosecutor General shall not be removed from office except on the grounds of removal of a Judge of High Court.
- (5) The Prosecutor General may, by writing under his hand addressed to the President of Pakistan, resign his office.
- (6) The Prosecutor General shall give advice to the Chairman upon such legal matters and perform such other duties of a legal character as may be referred or assigned to him by the Chairman and in the performance of his duties, he shall have the right of audience in all Courts established under this Act and all other Courts including the Supreme Court and a High Court and Tribunals in Pakistan.
- (7) The Prosecutor General with the approval of Chairman may appoint Special Prosecutors and / or Additional Special Prosecutors to conduct prosecution of cases and / or advocates to institute or defend cases, appeals, petitions, applications and all other matters before any Court or Tribunal including the High Courts and Supreme Court in matters arising out of or relating to proceedings under this Act.
- (8) In case the Prosecutor General is absent or unable to perform the functions of his office due to any reason whatsoever, any other Law Officer of the National Crime Control Agency, duly authorised by the Chairman, shall act as the Prosecutor General.
- **10. Investigation**.— (1) The National Crime Control Agency shall have officers under its command stationed in every district in the country, to investigate crimes committed under this Act.
- (2) The Government shall provide all necessary infrastructures required for the independent and smooth functioning of the National Crime Control Agency.
- (3) No person working for the National Crime Control Agency shall be appointed on deputation or transferred from provincial and federal service.
- (4) The officers of the National Crime Control Agency shall, for the purposes of the investigation of crimes committed under this Act, have the authority to arrest and detain suspects and question witnesses irrespective of the official position of the suspect or witness.

- (5) Each District Office of the National Crime Control Agency shall have at least ten investigators under the command of a District Investigation Officer.
- (6) District Investigation Officers shall be officers recruited by the Government through a National Examination and trained in aspects of crime control and law similar to that of the selection and training of officers for the Civil Service.
- (7) The officers posted in any Province shall be able to read, write and speak the local languages of that particular province.
- (8) The investigators under the command of a District Investigation Officer shall be a team comprising of medical, legal and forensic experts.
- (9) The officers of the National Crime Control Agency shall have all powers under the Code of Criminal Procedure, 1898, to investigate crimes committed under this Act.
- (10) For the purposes of investigation of a complaint, all police officers and other public servants in a District shall, when required, render assistance to the District Investigation Officer. If the accused in the crime under investigation is a judicial officer, the Investigation Officer shall obtain permission from the High Court having jurisdiction upon the area only for arresting or detaining the suspect. For all other matters concerning the case no such permission shall be required.
- (11) The District Investigation Officer may during the course of inquiry or investigation of an offence under this Act,-
 - (a) call for information from any person for the purpose of satisfying himself whether there has been any contravention of the provisions of the Act or any rule or order made thereunder;
 - (b) require any person to produce or deliver any document or thing useful or relevant to the inquiry or investigation;
 - (c) examine any person acquainted with the facts and circumstances of the case; and
 - (d) shall have full and free access to all police stations, police records, public and other government offices and the records maintained therein, concerning the crime he is investigating.

- (12) For the purposes of providing trauma counseling, the Government shall enlist and appoint at least six trauma counselors comprises of three men and three women in every district. The counselors so appointed shall either be a qualified psychiatrists or clinical psychologists registered by the Pakistan Medical and Dental Association (PDMA) or Pakistan Medical Association (PMA).
- (13) Every officer serving, working for the National Crime Control Agency shall have the minimum tenure of three years at the station of appointment unless he is transferred by the competent authority before that period for cogent reasons to be recorded.
- (14) The Federal Government shall make necessary rules required for the operation of the National Crime Control Agency.
- (15) Every officer working for the National Crime Control Agency shall have the right to carry firearms and shall be provided with appropriate training and weapons.
- (16) A case once initiated and registered by the National Crime Control Agency or pending trial in any court shall not be withdrawn from prosecution by the Government.
- (17) An offence under this Act shall be a cognizable, non-compoundable and a non-bailable offence, within the meaning, and for the purposes, of the Code of Criminal Procedure, 1898.
- (18) To register a crime under this Act against a public servant of any category and for its investigation no prior sanction is required from any authority.
- (19) For the prosecution of a Judicial Officer appointed by the Provincial High Court, the National Crime Control Agency prior to the prosecution shall obtain a sanction for prosecution from the Chief Justice of High Court concerned.
- (20) For the prosecution of a Minister in any Provincial Government, if the Minister is in office at the time of prosecution, the National Crime Control Agency prior to the prosecution shall obtain sanction from the High Court having jurisdiction upon the Province where the Minister is serving.
- (21) For the prosecution of a Minister in the Federal Government, or that of the Governor of a Province if the Minister or Governor is in office at the time of prosecution, the National Crime Control Agency shall prior to the prosecution obtain sanction from the Supreme Court of Pakistan.

- (22) All applications for sanction for prosecution under sub-sections (19), (20) and (21) shall be decided by the respective High Courts and Supreme Court within 30 days from the date of filing of the application.
- 11. Special Prosecutor.— (1) The offenses punishable under this Act shall be prosecuted by a Special Prosecutor and/or Additional Special Prosecutor and/or advocates appointed to institute or defend cases, appeals, petitions, applications and all other matters before any court. A Special Prosecutor or Additional Special Prosecutor or an advocate so appointed shall be a person enrolled as a lawyer with a minimum active legal practice of ten years.
- (2) On the appointment of a Special Prosecutor or Additional Special Prosecutor or an advocate as provided in sub-section (1), it shall be the duty of the Government to provide all necessary assistance to the appointee in order to conduct the prosecution, including the furnishing of the copies of all documents, statements, reports, and other information related to the case, and any other information concerning the case which the lawyer may require to conduct the prosecution.
- (3) A lawyer appointed as provided in sub-section (2) shall upon appointment have all powers of a Special Prosecutor for the purposes of conducting the prosecution of the case.
- (4) The Government shall provide adequate facilities in every District for the functioning of the Special Prosecutor, including a modern and furnished office, vehicles and required staff.
- **12. Punishment for torture**.— (1) Whoever commits the offence of torture shall be punished with rigorous Imprisonment which may extend to seven years or with fine of rupees fifty lacs but shall not be less than rupees ten lac, or with both.
- (2) Whoever attempts, aids, abets or conspires to commit an offence under sub-section (1) shall be punished with imprisonment which may extend to three years or with fine of rupees ten lac but shall not be less than rupees one lac or with both.
- (3) The amount of fine if realized shall be paid to the victim or aggrieved person.
- (4) The fine mentioned in sub-section (1) shall be paid within one week of the order pronouncement and in case of non-compliance, the Court may, recover the same as arrears of land revenue.

- **13.** Punishment of custodial death.—(1) Whoever commits the offence of custodial death shall be punished with imprisonment for life or with fine of rupees fifty lac or with both.
- (2) Whoever attempts, aids, abet or conspires to commit an offence under sub-section (1) shall be punished with imprisonment which may extend to ten years or with fine of Rupees ten lac, or with both.
- (3) The fine mentioned in sub-section (1) shall be paid within one week of its pronouncement and in case of non-compliance, the Court may, if there appears reasonable grounds for believing that the accused has committed such an offence, order the freezing of his property, or part thereof whether in his possession or possession of any relative, associate or person on his behalf.
- (4) The amount of fine if realized shall be paid to the victim or his legal heirs.
- (5) The fine mentioned in sub-section (4) shall be paid within one week of its pronouncement and in case of non-compliance, the Court may, recover the same as arrears of land revenue.
- **14. Appeal.—** (1) An appeal against the order of the court may be filed within thirty days to the concerned High Court.
- (2) The victim or his legal representative or aggrieved person may also file appeal against the order of the Court within thirty days to the concerned High Court.
 - (3) An appeal shall be decided within a period of six months.
- **15.** Termination or suspension from public office.— (1) A public servant under investigation for an offense punishable under this Act shall remain suspended during investigation or trial of an offence.
- (2) If the person under investigation for an offense punishable under this Act is a member of any of the law enforcement agencies, the accused officer shall be immediately relieved from all active duties.
- (3) A person convicted for an offense under this Act shall be terminated from public service, from the date of conviction:

Provided that if the sentence is reversed in appeal, the appellate court shall make necessary orders to reinstate the person into service with all back benefits and seniority.

- **16. Non-citizens.** Where a person who is not a citizen of Pakistan is arrested for an offence under this Act, the person so arrested shall be entitled to communicate immediately with the nearest appropriate representative of the State of which he is a national or if he is a stateless person, the nearest appropriate representative of the State where he usually resides.
- **17. Extradition.—** (1) Where a person is arrested for an offence under this Act, the Ministry of Foreign Affairs shall inform the relevant authorities in any other State having jurisdiction over that offence, of the measures which the Government of Pakistan has taken or proposes to take, for the prosecution or extradition of that person, for that offence.
- (2) Where a request is made to the Government of Pakistan, by or on behalf of the Government of any State for the extradition of any person accused or convicted of the offence of torture, the Ministry of Foreign Affairs shall, on behalf of the Government of Pakistan forthwith inform the Government of the requesting State, of the measures which the Government of Pakistan has taken, or proposes to take, for the prosecution or extradition of that person, for that offence.
- (3) Where there is an extradition law or arrangement in force between the Government of Pakistan and the Government of any other State, such arrangement shall be deemed, for the purposes of the Extradition law or arrangement, to include provision for extradition in respect of the offence of torture as defined in the Convention, and of attempting to commit, aiding and abetting the commission of, or conspiring to commit, the offence of torture as defined in the Convention.
- (4) Where there is no extradition arrangement made by the Government of Pakistan with any State, in force on the date of the commencement of this Act, the Government may, by Order published in the Gazette, treat Convention, for the purposes of the Extradition law or arrangement as an extradition arrangement made by the Government of Pakistan with the Government of that State, providing for extradition in respect of the offence of torture as defined in the Convention and of attempting to commit, aiding and abetting the commission of, or conspiring to commit, the offence of torture as defined in the Convention.
- (5) The Government shall afford such assistance (including the supply of any relevant evidence at its disposal) to the relevant authorities of any State as may be necessary in connection with criminal proceeding instituted in that State against any person, in respect of the offence of torture.

- **18. Protection.—** (1) Any person who alleges that he requires protection from a person accused of having committed an offense under this Act, shall, file a petition to the Court.
- (2) The State and the person against whom such a protection is sought for shall be made parties to such petition.
- (3) The Court receiving the petition, after giving seven days notice to the opposite parties shall hear the matter and pass an order on the petition within three days.
- (4) The Court while disposing off such a petition as mentioned in sub-section (3), shall make such order as deemed necessary, including but not limited to, the detention of the accused for periods not beyond fourteen days, which may be extended as required from time to time.
- (5) The Court may also direct the officer investigating the offence punishable under this Act to take such measures as directed by the Court to ensure the compliance of the Court's order.
- (6) If the Court allows the petition for protection, it shall handover the charge for protection of the person to the National Crime Control Agency. Protection shall include all steps necessary according to the Court to safeguard the security of the petitioner or his family members. The Court shall make such decision after consultation with the Special Prosecutor in charge of the prosecution of the case.
- 19. Protection of complainant and third person.—(1) Whenever an allegation of torture is made by a person brought before the Court it shall, in addition to the procedures laid down in Section 17, take appropriate measures to ensure the safety of the person making such allegation.
- (2) When the allegation so made is concerning the torture of a third person, it shall be the duty of the Court to direct the officer from the National Crime Control Agency to visit such place of detention, record his observations and take all measures necessary to ensure the safety of the person so detained within twenty-four hours.
- 20. Protection of the victim or aggrieved person and witnesses.— Without prejudice to section 17 and 18 hereinabove,-
 - (a) the National Crime Control Agency on its own motion or on the orders of the Court may on the facts and circumstances of a case take such measures as may be considered necessary for the safety, security and protection of the victim or aggrieved person and witnesses and their families;

- (b) for the purposes of securing the protection of the victim or aggrieved person and witnesses, the National Crime Control Agency shall make special procedure incorporating the latest technology available, including forensics aid, identity facilitation, relocation, etc., for providing effective security to the concerned persons and their families and for this purpose the National Crime Control Agency shall prepare a strong tamper proof Victim and Witness Protection Programme;
- (c) In all cases National Crime Control Agency shall involve NADRA for identification purposes and other ancillary matters which may arise; and
- (d) NADRA shall extend full cooperation to the National Crime Control Agency in the Victim and Witness Protection Process.
- 21. Prosecution to hamper investigation.—(1) Notwithstanding anything contained in any other law for the time being in force, if any person concerned with the investigation and prosecution of a case consciously and deliberately and with malice compromises, hampers, misleads, jeopardizes or defeats an investigation of a case under process before any concerned agency or authority or the Court he shall be guilty of an offence under this Act punishable with rigorous imprisonment for a term which may extend to ten years or with fine upto Rupees fifty lac, or with both.
- (2) No person shall be proceeded against under this section except with the sanction of a committee comprising the Chairman of the National Crime Control Agency, Deputy Chairman of the said agency and the concerned Special Prosecutor.
- **22. Presumption and burden of proof.—** If it is proved that a person has suffered injuries or died in custody, the burden shall be on the accused of an offense punishable under this Act to prove that the injuries were not suffered or the death was not caused due to any of his act constituting an offence punishable under this Act.
- 23. Absconding to avoid service of warrants.— Whoever absconds in order to avoid being served with any process issued by any Court or any other authority or officer under this Act or in any manner prevents, avoids or evades the service on himself of such process or conceals himself to screen himself from the proceedings or punishment under this Act shall be guilty of an offence punishable with imprisonment which may extend to three years notwithstanding the provisions of section 87 and 88 of the Code of Criminal Procedure, 1898 or any other law for the time being in force.

- **24. Overriding effect.—** Notwithstanding, any other Law in force, the provisions of this Act shall prevail in case of any conflict with such law.
- **25. Applicability of Code of Criminal Procedure, 1898.—** The provisions the of Code of Criminal Procedure, 1898 (Act V of 1898) shall in so far as they are not inconsistent with the provisions of this Act *mutatis mutandis*, apply to the proceedings under this Act.
- **26.** Contempt of Court.— The Court shall have the power to punish for contempt of court with imprisonment for a term which may extend to six months and with fine which may extend to one million rupees any person who-
 - (a) abuses, interferes with or obstructs the process of the Court in any way or disobeys any order or direction of the Court;
 - (b) scandalizes the Court or otherwise does anything which tends to bring the Court or a person constituting the Court into hatred, ridicule or contempt;
 - (c) does anything which tends to prejudice the determination of a matter pending or most likely to come up before the Court; or
 - (d) does anything, which, by any other law, constitutes contempt of court.
- **27.** Power to make rules.— The Federal Government may, in consultation with the Standing Committee on Human Rights of the National Assembly, by notification in the official Gazette make rules for the purposes of this Act.
- **28. Removal of difficulties.—** If any difficulty arises in giving effect to any provision of this Act, the Federal Government may make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary for the purpose of removing such difficulty:

Provided that this provision shall cease to exist after expiry of two years from the commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

The Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment was adopted by the United Nations General Assembly on 9th December, 1975 (Resolution 3452 [XXX]). Pakistan signed the Convention in, 2008 and thereafter ratified the Convention in 2010. Ratification of the Convention requires enabling legislation to reflect the definition and punishment for "torture". Although some provisions relating to the matter exist in the Pakistan Penal Code yet they neither define "torture" as clearly as in Article 1 of the said Convention nor make it a criminal offence as called for by Article 4 of the said Convention. In the circumstances, it is necessary for the ratification of the Convention that domestic laws of our country are brought in conformity with the Convention.

2. The Bill is designed to achieve the said object.

SENATOR FAROOQ HAMID NAEK SENATOR DR. ABDUL QAYOOM SOOMRO MEMBERS-IN-CHARGE