

[TO BE INTRODUCED IN THE SENATE]

**A
Bill**

further to amend the National Commission for Human Rights Act, 2012

WHEREAS it is expedient further to amend the National Commission for Human Rights Act, 2012 (XVI of 2012) for the purposes hereinafter appearing;

It is hereby enacted as follows: -

1. Short title and commencement. - (1) This Act may be called the National Commission for Human Rights (Amendment) Act, 2025.

(2) It shall come into force at once.

2. Amendment of section 3, Act XVI of 2012.- In the National Commission for Human Rights Act, 2012 (XVI of 2012), hereinafter referred to as the said Act, in section 3, in sub-section (2), for paragraphs (a) and (b), the following shall be substituted, namely:-

"(a) A Chairperson, who shall possess the following qualifications:

- (i) must be a natural born citizen of Pakistan;
- (ii) who has been, or is qualified to be a judge of the Supreme Court or High Court having knowledge and experience of Human rights;
- (iii) must not have been a candidate for an elected position immediately preceding his/her appointment; and
- (iv) must not have been a member of any political party for the last ten years preceding his/her appointment.

(b) one member from each Province, Azad Jammu and Kashmir, Gilgit Baltistan and Islamabad Capital Territory having the following qualifications:

- (i) must be a natural born citizen of Pakistan;
- (ii) must be a member of the Pakistan Bar Council or qualified to be a member of Pakistan Bar Council preceding his/her appointment;
- (iii) for non-lawyers, must have at least ten years of professional experience in Human Rights cases;
- (iv) must not have been a candidate for an elected position immediately preceding his / her appointment; and
- (v) must not have been a member of any political party for the last ten years preceding his/her appointment."

3. Amendment of section 5, Act XVI of 2012. - In the said Act, in section 5, in sub-section (1), for the proviso, the following shall be substituted, namely:-

"Provided that the person appointed as Chairperson or a Member shall not be re-appointed."

4. Amendment of section 29, Act No. XVI of 2012. - In the said Act, in section 29,-

- (i) in sub-section (2), after the expression, "under this Act," the words, "through advertisement in national newspapers and following a due process" shall be inserted.
- (ii) for sub-section (4), the following shall be substituted, namely:-

"(4) There shall be no appointment of any officer or employee on deputation from any Government department."

STATEMENT OF OBJECTS AND REASONS

If Human Rights Commission is to truly protect and promote human rights in our country, then changes must be made to enable them to become more effective institutions. In this regard there is a need to make the appointment procedures more transparent and effective. As non-judicial member positions are increasingly being filled by ex-bureaucrats, credence is given to the contention that commission are more an extension of the government, rather than independent agencies exercising oversight. If commissions are to play a meaningful role in society, they must include members possessing qualifications and experience particularly in Human Rights cases along with a sound legal background. Besides, Human Rights Commissions need to develop an independent cadre of staff with appropriate experience. The present arrangement of having to rely on those on deputation from different Government departments is not satisfactory as experience has shown that most have little knowledge and understanding of Human Rights issues. This problem can be rectified by employing specially recruited and qualified staff to help clear the heavy inflow of complaints.

The Bill has been designed to achieve the aforementioned purpose.

**SENATOR SAMINA MUMTAZ ZEHRI
MEMBER IN CHARGE**