INTERNATIONAL THE NEWS

Senate adopts Zainab Alert, Response and Recovery Act 2020

By Mumtaz Alvi | March 05, 2020



ISLAMABAD: The Senate on Wednesday approved by a majority the much-awaited Zainab Alert, Response and Recovery Act, 2020, while Jamaat-e-Islami voted against the legislation and PML-N senators wanted amendments to it, questioning the haste in passage of the bill.

The widely-debated legislation has been named after Zainab, the seven-year-old girl, who was kidnapped in Kasur, raped and brutally killed in 2018, leading to an unprecedented outcry, anguish and rallies across Pakistan. The draft law will have its outreach across Pakistan, previously, it was confined to Islamabad.

JI’s senators Sirajul Haq and Mushtaq Ahmed voted against the bill, saying, "The bill does not contain a provision for a death sentence; A section on Qisas should be added to it. Senator Mushtaq said that adding Sections 201 and 302 would make the bill more effective. Whereas, Senator Sirajul Haq contended that in the past few months, over 3,000 children had been raped, arguing the bill needed Sections 201 and 302 be made part of it.

They insisted, “without Qisas, we will not vote in favour of the bill and would stage a walkout from the House”. State Minister for Parliamentary Affairs Ali Muhammad Khan assured JI that they might bring an amendment and the government would support it.

He revealed that Prime Minister Imran Khan had Senate adopts Zainab Alert, Response and Recovery Act 2020 twice said in the federal cabinet meeting that the convict, involved in rape of children, should be awarded death sentence. He also added that the National Assembly had already adopted resolution for public hanging of the convict but PPP Chairman Bilawal Bhutto Zardari opposed it. “It is a matter related to our children’s life and honour, amendment should be introduced,” he remarked.

Jamiat Ulema-e-Islam-Fazl’s (JUI-F) Molvi Faiz Muhammad also supported the JI contention and said that the Islamic law already envisaged Qisas as punishment for rape and murder.

Senate Chairman Muhammad Sadiq Sanjrani told JI legislators if they wanted changes in the bill, they should have submitted them in the Senate Secretariat. He suggested that the bill be adopted now and afterwards amendments be brought to it. Minister for Education Shafqat Mehmood agreed with the Senate

chairman and requested that the senators should vote on the bill, noting that the bill had already been debated in the National Assembly and then in the Senate. However, he acknowledged that some of the points raised by the opposition had merit, but he said that the entire nation was looking forward to the bill being passed.

He suggested that the bill should be passed and amendments should be made to it later. PTI Senator Faisal Javed chipped in to say that amendments would keep coming; it was so crucial to adopt the bill right now.

Federal Minister for Parliamentary Affairs Muhammad Azam Swati said that he would introduce amendments to the bill in the future, requesting the House to pass it for now. On his part, PML-N Senator Muhammad Javed Abbasi said that the Zainab Alert Bill was a good piece of legislation but objected to the immediate approval of the bill. He pointed out that a report regarding the bill was presented in the House only a day earlier. He said some clauses in the bill should be reviewed and explained the punishment of life imprisonment mandated for a criminal, who abducted a child for the purpose of sexual assault and murder was not enough and should be increased.

Senate Standing Committee on Human Rights Chairman and PPP Senator Mustafa Nawaz Khokhar proposed that the police should lodge an FIR on the child's abduction within two hours of the happening and special courts should hear the case and announce decisions within three months.

As per bill, a helpline will be set up to report missing children while the government will establish the Zainab Alert, the Response and Recovery Agency (ZARRA) to issue an alert for a missing child. The agency will coordinate with all relevant federal and provincial authorities and law enforcement agencies, and maintain an online database of all children reported missing or abducted with their current status.

The police will inform ZARRA about an incident of a child missing or abducted within two hours of receiving such a report and if the agency directly receives information of a child going missing or having been abducted, it will inform the relevant police station immediately.

According to the bill, upon receiving information that a child is missing, the officer in charge of the police station will reduce the same into writing in the same manner as prescribed for a cognisable offence under Section 154 of the Code of Criminal Procedure (CrPC), and will be

mandated to start an investigation of the case and recover the missing child.

The provisions of CrPC will apply to the proceedings carried out under the Zainab Alert Bill, except in case of juvenile suspects who will be dealt with under the Juvenile Justice System Act, 2018.

In coordination with the Pakistan Telecommunication Authority (PTA), messages will be generated to all service providers regarding the child. The information will be sent to all electronic and print media as well as radio stations to disseminate. In the case of a child's disappearance, the police will have to immediately file a first information report (FIR).

If the officials do not cooperate and fail to register an FIR, the responsible official will be slapped with a fine of Rs100,000 and sentenced to prison for two years.

In connection with the International Women Day, being observed on March 8, the House also adopted a resolution, moved by PTI Senator Seemee Ezdi with signatures of lady senators. The resolution recognizes that the International Women Day is a time to reflect on progress made and to celebrate the acts of courage and determination by courageous women who have played an extraordinary role in the history of their countries and societies. The resolution recommends that the

government should take effective steps to protect the constitutional rights of women by creating an enabling environment which provides equal opportunities of work and pay, protection against sexual harassment and violence, facilities of healthcare and education and equal participation in political process and decision making to all women and girls in the country.

The widely-discussed and criticised comments by a writer on a private TV channel evoked criticism from PPP Senators Sassui Palijo and Keshoo Bai, who insisted he should be banned from appearing in talk shows and that it was because people like him, women were on roads and protesting.

PML-N Senator Mushahidullah Khan and Senator Mushtaq said that Islam had given maximum rights to women but limitless liberty could not be given to women in the name of rights. They alleged that NGOs provided funds for specific tasks in countries. Senator Mushtaq said that Dr Afia Siddiqui was also a woman, but none talked about her, who was in US jail on flimsy allegations.

They insisted that women should talk against their father, husband and brother before talking about any other male. They said the slogan of ‘mera jism, meri marzi’ was meant to spread indecency in the

society and to rebel against the Islamic, social and moral values and to destroy family system.

Senator Mushahidullah said that the writer, who uttered words in emotions in a TV show, was from film side and if he could get offended, there would be something to ponder upon. He said it should be probed, which forces were behind such protests and noted that one should ask why no woman could become US president till today while Mohtarma Benazir was twice elected as prime minister of Pakistan.

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