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## Human Rights Law and Police Interrogation: A Doctrinal Analysis of Anti-Terrorism Legislation of UK and Pakistan

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### Abstract

*National security is a powerful narrative around the globe. Terrorism does pose a national security threat when properly perpetrated and coordinated. People suspected of terrorism are largely at risk of violation of their human rights when arrested and detained. During the initial days of their arrest – the pre-charge detention period – their human rights are likely violated. Police interrogation during pre-charge detention is that critical phase in which terror detainees are the most vulnerable for law enforcement agencies and even the public expects their confession or releasing of information about any terror incident. This research focuses on police interrogation sessions in the research settings of the UK and Pakistan. Pakistan is the principal case study while the UK acts as an example/model/comparator to learn lessons. The paper examines and critiques the relevant anti-terrorism laws on police interrogation in the two jurisdictions. The paper deploys a black letter law/doctrinal research methodology to critique the police interrogations considering the widely accepted human rights law and standards. The case study research method is used as a tool to examine, critique, and then arrive at certain research findings and recommendations. The paper arrives at some useful research findings and recommendations. First, there is a complete absence of the duration of police interrogation sessions in Pakistan, while such duration is two hours in the UK. Second, there is no express provision in the laws of Pakistan regulating the provision of breaks for meals, tea, or prayer. The UK's law provides a 45-minute break for a meal and 15 minutes for tea/prayer time. Third, there is a complete absence on not questioning a terror detainee during nighttime in Pakistan, while the UK's law expressly prohibits so and allows such questioning only during daytime. To conclude, there are quite a few more areas for Pakistan to learn from the UK's experience on police interrogation to fully comport with its human rights obligations when fighting/struggling against terrorism.*

**Keywords:** Anti-terrorism Law, Police Interrogation, Security Approaches, Human Rights Law, Doctrinal Analysis

### Introduction

People suspected of terrorism are vulnerable during pre-charge detention for police and the public expects their confession or the release of more information on any terror incident. Their

vulnerability is more critical during police interrogations. The harsher the interrogation techniques the more probable their maltreatment.

In those jurisdictions in which security is the priority, strict interrogation techniques are put in place to cope with or fight against terrorism. Police are given more discretion powers to make terror suspects confess or provide clues to diffuse any terrorism incident in the future. Here human rights of the terror suspects are often compromised to ensure national security/greater good.

In those jurisdictions in which a right balance is maintained between the expectations of national security and the human rights of detainees, due regard is paid to the adherence to human rights during police interrogation sessions. Human dignity, liberty, and security of person are at the core of their anti-terrorism legislation.

This research paper is going to examine and critique the anti-terror laws of the UK and Pakistan on police interrogations/questioning/interviews of people suspected of terrorism. Pakistan is the main case study while the UK acts as an example or comparator to learn lessons from police interrogations.

A Black Letter Law approach to doctrinal research methodology is deployed to examine and critique the anti-terrorism laws of the UK and Pakistan during pre-charge terrorism detention, particularly applicable to police interrogation. The case study research method is used to closely examine the anti-terror laws of the two jurisdictions considering the human rights law and standards related to the topic.

This paper critically reviews the already published work on police interrogation during terrorism cases to identify and establish an academic niche followed by contributing original knowledge related to the topic. The paper then closely examines the relevant human rights law and principles setting standards/yardsticks of police interrogation in terrorism cases. The relevant anti-terrorism laws of the UK and Pakistan are also examined to set the stage for their doctrinal analysis. The laws of the two jurisdictions are then subjected to doctrinal/black letter analysis to put forward research findings and recommendations for the main case study – Pakistan – on police interrogation in terrorism cases.

## Literature Review

The conduct of police interrogation or questioning is primarily determined by the security approach embedded or reflected in any antiterrorism legislation. Generally, there are two broad approaches to security – conservative and liberal. Conservative approaches to security (hereinafter, CATS) tilt too much in favor of national security, largely at the cost of civil liberties. On the other hand, liberal approaches to security (hereinafter, LATS) maintain a good balance between national security and civil liberties and at the times even would favor slightly more importance to civil liberties. Consequently, followers of CATS advocate coercive police interrogation to reinforce and reassure national security while supporters of LATS propagate more humane and professional police interrogation to protect the human rights of suspected terrorists during such questioning.

Amongst others, followers of CATS are Michael Ignatieff, Bruce Ackerman, Etzioni, Oren Gross, Posner, and Tushnet. Michael Ignatieff (2005) supports torture in terrorism cases, particularly during police interrogations. He supports coercive interrogation techniques to compel terrorism suspects to disclose information to prevent further terrorist attacks. Ignatieff calls it 'Lesser Evil'. Though he understands the total prohibition of torture, however, he supports the same during police interrogation of terrorism cases. He pleads for torture via the Lesser Evil argument and seeks its legalization in cases of necessity – when a terror threat is imminent, and the detainee refuses to disclose the information.

All countries must have emergency constitutions concurrently with constitutions during peaceful times (Ackerman, 2004). The emergency constitution must allow and stipulate coercive techniques of police interrogation. Physical as well as mental torture be perpetrated to get useful information or confessions of the suspected terrorists to avert or prevent instances of terrorism. Ackerman suggests triggering the operation of an emergency constitution when there are terrorist attacks parallel to that of the '9/11' attacks on the Twin Towers of New York. Bruce Ackerman supports coercive police interrogations for detainees of terrorism to prevent or curtail terror attacks.

Richard Posner (2006) supports strict police interrogation through his doctrine of 'pragmatism'. He suggests that 21<sup>st</sup>-century terrorism is an 'existentialist' threat for the prevention of which some concrete and pragmatic steps are extremely important. According to Posner, police be given more powers to judges who have scant or limited knowledge about security. Let police exercise their powers during police interrogation and in the best interest of national security to help counter terrorism. Let the suspected terrorist be kept under incommunicado detention so that they are compelled to release information or confess to their guilt. Let police be the judge of their actions and their exercise of authority should not be reviewed by any court of law.

Etzioni (2008) suggests the priority of security and he calls it – Security First. According to his doctrine of Security First, all other rights are of secondary importance, it is security that ensures everything including human rights. Security is ensured by law enforcement agencies including the police. So, the police are allowed to arrest, detain, and investigate & interrogate any terror suspect in the manner that the police think is right. Let the mode, duration, place, and timing for police interrogation be decided by the police to ensure national security.

Mark Tushnet (2010) believes that there is a pattern when the executive deals with terrorism. The executive is more active as compared to courts and law-making institutions. When a sudden terror attack is perpetrated, out of nowhere, the executive comes to the fore to counter the threat. They often exceed their powers to fight against terrorism, however, their unlawful actions are then ratified by the courts. This happens every time or during each cycle of terrorism, so, Tushnet proposes some emergency powers for the police to deal with the terrorism threat. This also includes police powers to investigate including stringent interrogation techniques to counter the terrorism threat.

Oren Gross (2003) advocates his extra-legal measure model to fight against terrorism. According to Gross, police must be allowed to exceed their powers to quell any terror threat. It is incumbent upon them to follow rules and regulations as it is expected from them to deal with ordinary cases, however, there is no need to comply with the law when they deal with terrorism. They must be allowed to take extra-legal steps to fight against terrorism. Gross resonates with the above supporters of CATS to empower police to carry out coercive police interrogation even for lengthier periods than usual ones.

All the above scholars have a strong stand or view point for giving more powers to the police for they follow CATS. This is just to kill any terror threat. This is only possible when police have unlimited powers which are usually exercised during police operations and largely when they carry out interrogations of people suspected of terrorism.

Unlike CATS, many follow LATS, such as – Claire Macken, David Luban, Fiona de Londras, Clive Walker, David Cole, Buhelt, Tribe and Gudridge, and Jeremy Waldron. Claire Macken (2011) thinks that preventive detention is taken over by pre-charge detention. She suggests more safeguards during pre-charge detention in terrorism cases including a short period of detention with the shortest time for police interrogations more aligned to the observance of human rights law.

The fight against terrorism is based on some fallacies (Luban, 2005). One of the fallacies is that terrorism is regarded as war by followers of CATS. They use coercive interrogation sessions to make terror suspects confess or release information that may not be true. Luban further states that rights are powers themselves and that these may be used against the coercive powers of the state which are arbitrary and which police questioning may not be excluded.

Fiona Londras (2011) has written extensively on detention in terrorism-related cases. She remarks that lengthy detentions and lengthy police interviews do impinge upon human rights. Walker's (2009) 'constitutionalism' provides for rigorous checks on the arbitrary powers of police, particularly during pre-charge terrorism detention. Since the detainees are more vulnerable during these times, therefore, there must be some concrete checks on the powers of law enforcement agencies, especially during police interrogations.

David Cole (2004) regards the emergency constitution of Bruce Ackerman as utopian and a magic bullet. He thinks that it is highly likely that the emergency constitution will spread lawlessness in any country in which the constitution is tested. Arrests and detentions made without reasonable suspicion can significantly interfere with civil liberties. There must be well-defined checks on the powers of police, particularly when they are dealing with the questioning of terror suspects.

Anders Buhelt (2013) suggests his 'rightization' model to fight against terrorism. He believes that all counter-terrorism laws are based on fear and apprehension rather than our liberal values. These laws, according to him, create more fear in the minds of others which is counterproductive. His privatization model fights not with stringent anti-terror laws but with liberal core values to cope with or struggle against terrorism. Buhelt is not ready to sacrifice civil liberties simply to defeat terrorism. His model is based on the utilization of our core democratic values to act as bulwarks and weapons to knock terrorism out forever. He does not support too much power bestowed on police to counter terrorism including their investigative power.

Tribe and Goodridge (2004) believe that states have paved the way by creating the fear of terrorism in the minds of their citizens to grab more power. They criticize the emergency constitution of Ackerman as a 'black hole'. These powers are being used against innocent citizens; they believe. There must be proper restraints and checks on the powers of police when interrogating people suspected of terrorism offenses.

Jeremy Waldron (2003) firmly believes that liberals have more fears of the powers of government rather than the actual terrorism threat. Such powers are often used against innocent and identifiable groups. He believes that cost can easily be shifted to certain communities – he was referring to Arabs in the aftermath of the '9/11' attacks since the majority of the attackers were of Arab origin. Law enforcement agencies including police should be checked against the democratic and liberal values based on which our society is founded. Prolonged detention and police interrogations of terrorism suspects don't guarantee security, rather doing so is counterproductive. If states are to cope with terrorism they must enshrine human rights in their counter-terrorism legislation, policies, and action plans

In Pakistan, many scholars have carried out research on policing and law, however, none of them have researched the actual duration of police interrogation in terrorism cases in the country. Fasihuddin (2010) has brought to the fore many problems related to police investigation, however, he has neither mentioned nor substantiated the lack of law regulating the duration of police interrogation sessions. Likewise, Abbas and Kureshi (2012) have highlighted the effective role of the police in maintaining stability in Pakistan, however, police interrogation has not been touched upon. John Ras (2010) and Suddle (2003) have provided a very comprehensive detail on the roles and responsibilities of police in Pakistan. None of them have made a case of police interrogations in

terrorism-related cases though. To sum up, there is a need for carrying out further research on the duration of police interrogation in terrorism cases considering the human rights law and standards for the topic in consideration. Pakistan is the main focus of this research while the UK is used as a comparator to learn lessons from the duration of police interrogations in terrorism cases.

### **Human Rights Law and Police Interrogation**

There are many provisions in various human rights law instruments setting standards and guidelines to regulate police interrogation or questioning of people suspected of ordinary as well as terrorism offenses. The very first instrument is that of the Universal Declaration of Human Rights (hereinafter, UDHR). Article Five of UDHR prohibits torture and inhuman, degrading, or cruel treatment. The same prohibition has been reiterated in the International Covenant on Civil and Political Rights (hereinafter, ICCPR). Article 10 of the ICCPR guarantees humane treatment of all detainees.

The Human Rights Committee in its General Comment 21 firmly lays down the humane treatment of detainees as fundamental and universal. Since this provision is universal, therefore, it applies to those people whose liberty has been curtailed including suspects during pre-charge detention and waiting for police interrogation or questioning sessions. The Committee also unambiguously reiterates that humane treatment applies to people who are suspected terrorists.

The Human Rights Committee also apprises that no hardships or difficulties should be placed for suspects under pre-charge detention. Now, these hardships also include police interrogations during nighttime, the lengthy time or duration of each interrogation session with the detainee, and the nature of questions to be asked e.g., asking some oppressive questions during police interrogations and the like. These hardships or constraints may be related to disturbing their meal, tea, or prayer break.

There are many provisions in the UN Convention against Torture (hereinafter, UNCAT) prohibiting and criminalizing torture and other inhuman treatment of detainees including suspected terrorists. Since torture and/or inhuman treatment need time and place, therefore, it is clearly understood that terror detainees are quite vulnerable during pre-charge detention and they are the most vulnerable during police interrogations since the authorities expect to receive more information or to confess the suspect – self-incrimination – for successful prosecution in the shortest possible period. The Committee against Torture in its General Comment 2 categorically states that governments must play pivotal roles to take concrete steps to prevent torture which is largely committed during police interrogations or questionings.

In the context of the UK and Europe. There is the Human Rights Act 1998 and the European Convention of Human Rights (hereinafter, ECHR). Both instruments clearly reflect the principles and guidelines enshrined in the international human rights law instruments highlighted in the preceding paragraphs. The most distinctive nature of the UK's Human Rights Act 1998 and the ECHR is that all such rights mentioned in the instruments are enforceable in a court of law.

Similarly, at the domestic level of Pakistan, these principles have also been enshrined in the 1973 Constitution of Pakistan. Article 14 of the Pakistani Constitution prohibits torture and guarantees respect for human dignity which is the foundation of all human rights. The Constitution further lays down responsibilities on the government to make sure positive duty to prevent torture and ensure fair treatment of all are ensured of those people who are suspects of any ordinary or terrorism offenses.

To summarize the position of international, regional, and domestic human rights on police interrogations, this is quite evident that all detainees are quite vulnerable and are in desperate need



of protection during the pre-charge detention time and especially during police interrogations. No hardships or constraints are allowed during police interrogations or questioning. The correct observance of time and selection of place for such interrogations must be ensured. All states are under positive duty to legislate on the conduct of police interrogations. Police discretion and excesses during these interrogations are to be regularly checked with precision, be reported, rectified, and remedied. Foregoing the above, the human rights law reflects the attitudes to LATS. The dominant attitudes of CATS are discouraged.

### **Examination of Police Interrogation in the UK and Pakistan**

The preceding part examined the position of human rights law on police interrogations setting standards. This part is going to examine the laws of the UK and Pakistan on police interrogations in terrorism cases.

The UK's Terrorism Act 2000 includes most of the laws applicable to counter-terrorism in the country. Section 41 of the Act lays down a process in which a terror suspect is handled after arrest. The Act provides three different departments of police to engage with the detainee – the department of custody, review, and investigation. The custody officer is responsible for the lodgments, accommodation, safety, and security of the detainee. The review office is responsible for reviewing the actions taken by the investigative officer. The primary focus and responsibility of the investigative officer is to get information or confession of the person who is suspected of terrorism for his successful prosecution or release. The focus of this paper is the law applicable to the powers and discretions of the investigative officers since they are the ones who carry out the police interrogation, questioning, or interviews.

Under Schedule 8 of the Terrorism Act 2000, together with the Police and Criminal Evidence Act 1984 (hereinafter, PACE) and Code H Para 11; it is the investigation officer who has 'full knowledge' of the case under consideration. The investigation officer interviews or questions the suspected terrorist on reasonable suspicion of being a terrorist. The arrested person is cautioned and conveyed the grounds of their arrest and some preliminary information is shared of their involvement in the terror incident or offense. All interrogation sessions are carried out in designated places authorized for detention and police questionings. All interviews are video recorded. According to Para 11.6 of Code H, oppressive questions for compelling the terror detainee to confess or self-incriminate are strictly forbidden.

Para 12.2 of Code H clearly stipulates a detainee suspected of a terror offense to take at least eight hours of rest in one day – 24 hours. This is the duty of the investigation officer to make it certain that a detainee is physically as well as mentally fit and fine to go through police interrogation sessions. The interrogation is conducted in a room specifically designated for police questioning or interviews. The room is lit, and the right temperature is maintained throughout the year.

The Code further provides that a terrorism detainee is not required by the law to stand up for police interrogations. According to Para 12B of the Code, the duration of each police interrogation session shall not be more than two hours at a time. This time may also be increased by the investigation officer should there be 'reasonable' grounds for extracting the right information from the suspect. There must be a 15-minute break between two interrogation sessions. There is a total of 45 minutes break for a meal.

In the context of Pakistan, police investigation/interrogation is regulated by the Anti-Terrorism Act 1997 (hereinafter, ATA 1997). According to Section 19 of ATA 1997 there shall be a "Joint Investigation Team" to proceed with terrorism investigations. A total of five members are there on the team. Its membership is from the police and military. The team is required to complete the

investigation in a total of 30 days to charge or release. However, the total period of pre-charge detention is 90 days in total with 30 days at a time. There is no specified duration to regulate a police interrogation session. The ATA 1997 is silent about this. However, the Act does contain a reference therein to regulate the police interrogations by resorting to the ordinary criminal law of Pakistan.

The Criminal Procedure Code of Pakistan being ordinary law of the land is also silent about the duration of terrorism interrogation. Similarly, the Fair Trial Act 2013 is also silent about the duration of police interrogation in terrorism cases. Likewise, Police Rules of Pakistan and its Code of Conduct, there is a full chapter on police investigation, however, there is no stipulated time for each police interrogation session. What should be the break between two interrogation sessions? What should be the allowed time for a meal or tea break? How about the actual conduct of the police interrogation session? These questions are hardly answered by the anti-terrorism legislation of Pakistan. On the other hand, the UK has embodied up to a greater extent the human rights law provisions in their anti-terrorism law regulating police interrogations and their duration.

### **A Doctrinal Analysis of Police Interrogation in Anti-Terrorism Legislation of UK and Pakistan**

The preceding examination of the anti-terrorism laws has prompted us to proceed with the doctrinal analysis of the provisions regulating police interrogations in both jurisdictions – the UK and Pakistan.

In the research settings of the UK, the Terrorism Act 2000, PACE 1984, Schedule 8, and Code H have stipulated the duration of each police interrogation session – two hours at a time. This safeguard has put a reasonable restriction of time on the powers of the police. Prolonged police interrogation sessions or indefinite sessions certainly place 'hardships or constraints' on the rights of people suspected of terrorism. This hardship has been overcome by the country via its strict adherence to the total time duration for each session as two hours as given in Schedule 8 and Code H. Here the UK has complied with the human rights law and the comments of the Human Rights Committee for removing hardships for people suspected of terrorism cases to avoid lengthy or indefinite session of the police interrogation.

The hardships were further relaxed when the UK was forbidden to interrogate any person suspected of terrorism during nighttime. The nighttime has been designated the eight hours of rest for the detainee without any interruption. Generally, terror detainees are quite vulnerable during pre-charge detention, they are more vulnerable in police interrogations, and their vulnerability becomes critical when they are subjected to interrogation during nighttime. Also, subjecting a terror suspect to police interrogation during nighttime might violate Article 10 of the ICCPR on humane treatment.

The constraints have been further removed by the country when an explicit 45-minute break for a meal and 15 15-minute short breaks in between two consecutive police interrogation sessions have been incorporated in Schedule 8 and Code H where even light refreshments are also served during these short breaks, perfectly aligned and reflecting the human rights law principles in their anti-terrorism legislation.

Another distinctive feature of the anti-terror laws of the UK is its incorporation of the 'human dignity' therein. According to Schedule 8 and Code H, a terror detainee is not required by law to stand up and proceed with the police interrogation session. A chair is provided to the suspected person throughout the interrogation session to answer questions while seated.

The interrogation rooms are designated and known. The sessions are not carried out at some unknown place. The whereabouts of the detainees are certainly known. This is a very good

provision to prevent instances of enforced disappearance. Moreover, the room maintains the right temperature complying with the humane treatment mentioned in ICCPR.

The UK's anti-terrorism laws also prohibit asking 'oppressive questions' from a terror detainee. Oppressive questions are often asked of such detainees to compel them to confess or provide information related to any past or future for committing terrorism. Since oppressive questions often take away the dignity of detainees, causing their humiliation, and subjecting them to ridicule and indignify, have been specifically forbidden via Schedule 8 and Code H.

A close examination of the anti-terrorism laws of the UK also highlights that the detainee is cautioned and provided reasons for their arrest together with their involvement in the terrorism offense. This prompt release of information is carried out during police interrogations. This is clear compliance with Article 9 ICCPR related to the Right to Liberty and Security of Person applicable during pre-charge detention to all detainees including terror detainees.

Lastly, all terror detainees are afforded the right to contact the outside world. This awareness of their right to contact their relatives is provided during interrogation sessions. So, the police interrogation sessions in the UK reinforce to block or prevent cases of incommunicado detention in the country. This explicit provision and its reflection in the conduct of this interrogation fully comply with the human rights obligations.

The foregoing doctrinal analysis of the UK's laws regulating police interrogation sessions in terrorism cases reflects liberal approaches to security (LATS). Human rights principles are integrated into the anti-terror laws to fight or struggle against terrorism in the country. The important ideals of human rights, such as liberty, fairness, due process, and reasonableness are reflected in the laws on police interrogations in terrorism cases in the country.

The UK has embraced the jurisprudence and scholarly work of Claire Macken, David Luban, Fiona de Londras, Clive Walker, David Cole, Buhelt, Tribe and Gudridge, and Jeremy Waldron as critically examined in the early part of this research paper.

In the research setting of Pakistan, the country's anti-terror laws and relevant ordinary laws are examined for this doctrinal analysis. Regarding the duration of the police interrogation session, there is a complete absence of any period. The laws don't provide any clear provisions for regulating the duration of police interrogation. This complete absence infringes on the principle of fairness. The lack of such provision also lays down more hardships and constraints on the liberty and vulnerability of terror detainees. This also legitimizes what can confidently be referred to as 'indefinite duration' in terrorism interrogations in the country.

There is no provision forbidding the questioning of terror detainees during nighttime. The lack of such provision thus leaves terror detainees at the discretion of police which may potentially make the detainees more vulnerable in these interrogations.

Next, there is no provision related to the meal or tea break of the terror suspects detained. Again, this has been left to the discretion of the police. Likewise, the country's laws don't provide for a complete rest of eight hours in 24 hours which should be free of investigation. Rather than removing the hardships and constraints, the laws place more difficulties for the terror detainees which goes against the human rights law and principles.

In addition, there are no clear provisions in the anti-terror law or ordinary law of Pakistan providing for the protection of the rights of a terror detainee not to stand up while providing answers to the questions posed to them during these interrogation sessions. Again, police discretion has been given more preference and reflected in the anti-terror laws of the country.



Which particularly place or room a terror investigation or questioning will be carried out has not been provided in the anti-terrorism laws of Pakistan. Again, the lack of this provision leaves detainees to the discretion of the investigation officer whether to disclose the whereabouts of such interrogation and whether to keep the room ready and comfortable for carrying out these sessions. What guarantees are there that the room will be maintained at the right temperature? This has also been left to the discretion of police in Pakistan.

Moreover, there is also a lack of forbidding oppressive questions during police interrogations in the country. As mentioned before, these questions pose or compel terror detainees to confess or release information to prevent terrorism. Oppressive questions render the detainee more vulnerable where their human dignity is at stake.

Similarly, there are no express provisions in the anti-terrorism laws of Pakistan that prohibit incommunicado detention which might potentially increase the number of cases of enforced disappearance in the country. Since this is a doctrinal analysis, therefore, this research will not embark upon the effectiveness/ineffectiveness of the anti-terror laws of Pakistan or its impact on society. This is left for another socio-legal research and law in action to proceed with.

Lastly, there is no express provision for who or at which stage during the police interrogation sessions the detainees be provided with information about their involvement in the terrorism offense so that they are cautioned and made aware of the reasons for their arrest and these interrogations.

The above doctrinal analysis of the anti-terrorism laws of Pakistan on police interrogation depicts that the country has reflected the conservative attitudes to security (CATS). The country has not clearly integrated the important provisions and principles of the human rights law. The country has tilted too much in favor of security at the cost of civil liberties in its fight against terrorism. Pakistan has been influenced by and reflected in the scholarly work of Michael Ignatieff, Bruce Ackerman, Etzioni, Oren Gross, Posner, and Tushnet.

## Conclusion

This research paper has identified an academic gap in the anti-terrorism legislation of Pakistan governing police interrogation. This research after a close examination of the relevant anti-terrorism laws of the UK and Pakistan has arrived at some concrete research findings and recommendations. First, there is a complete absence of the duration of police interrogation sessions of terrorism cases in Pakistan. It is recommended that Pakistan, on a priority basis, insert provisions in ATA 1997 providing for a specified duration of the sessions ranging from one to two hours. Second, there is also a complete absence of any pause or break between the two interrogation sessions in Pakistan. It is recommended that the country should introduce such break ranging from 15 minutes to 30 minutes in between the consecutive interrogation sessions. Third, a clear break for meals, tea, and prayer must be inserted in the anti-terrorism laws of Pakistan. The meal break clubbed with a prayer break should not be less than one hour during which there should be no questioning. Next, the laws must prohibit police questioning during nighttime. In addition, the interrogation rooms must be known and designated, the rooms must be lit and maintain the right temperature during winter and summer. Furthermore, the dignity of a person must be recognized by inserting a clause in the anti-terror laws of Pakistan to guarantee and allow a person suspected of terrorism to answer the questions posed to them in a sitting position – a terror detainee should not be required to answer the questioning in their standing or other stressful positions. Incommunicado detention should be prohibited. Last, the arrested person should promptly be informed of the reasons for their arrest and detention.

Pakistan will fulfill its major human rights obligations by incorporating the above suggestions in its

anti-terror laws on police interrogations. The amended law will comport to the Human Rights Committee comments and the widely accepted human rights principles during pre-charge detention.

Pakistan should also think about reviewing its anti-terrorism laws considering the scholarly work produced by the protagonists of LATS. These scholars – David Luban, Fiona Londeras, Claire Macken, Jeremy Waldron, Clive Walker, David Cole, Buhelt, and Tribe and Gudridge – have contributed much to protecting human dignity and liberty during difficult times. Their contribution has influenced the legislation of various countries including the UK on police interrogation. There is a lot for Pakistan to learn from the UK's experience on this.

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