

Program

21- 22 September 2019

Law, Judicial Interventions
and Social Change; with a
special focus on Labor Law



RCCHR

Rasheed Razvi Center for Constitutional and Human Rights



PILER

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Schedule

Day 1

Saturday, 21st September 2019

Arrival and Registration
of Attendees 9:30 am – 10:00 am

Introduction by
RCCHR Founders 10:00 am – 10:30 am

Opening Keynote Address
Honourable Mr. Justice Qazi Faez Isa
(Supreme Court of Pakistan) 10:30 am – 11:00 am

Tea 11:00 am – 11:15 am

Session 1
Labor Law: Problematic Present
and Future Potential 11:15 am – 2:30 pm

Lunch 2:30 pm – 3:30 pm

Session 2
Judicial Interventions and Social Justice 3:30 pm – 6:15 pm

Tea 6:15 pm – 6:45 pm



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Day 2

Sunday, 22nd September 2019

Tea 11:00 am – 11:30 am

Session 3 11:30 am – 2:00 pm

Dreaming about the law: Pakistani,
South Asian and International Legal
Context



Lunch 2:00 pm – 3:00 pm

Concluding Keynote Speech
Honourable Mr. Justice Maqbool Baqar
(Supreme Court of Pakistan)

3:00 pm – 3:30 pm

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Note of Thanks 3:30 pm – 3:45 pm

Tea 3:45 pm – 4:15 pm



Labor Law: Problematic Present and Future Potential

Session 1

This session will focus on labor related issues, particularly with respect to Occupational Health and Safety, especially, across South Asia i.e. in India, Pakistan and Bangladesh, with a comparative global perspective.

Session Chair: Rasheed Razvi, Sr. Advocate Supreme Court

Format:

Individual Presentations– 105 minutes

Discussion + Q&A – 90 minutes

Speakers:

Dr. Muhammed Azeem (LUMS) : “A counter-hegemonic approach to labour law of codes of conduct of global value chains (GVCs)”.

Shahid Bajwa: “18th Amendment and Labour Laws: Problematic Present and Future Potential”

Colin Gonsalves (Human Rights Law Network, India):
“A Nation of Slaves”

Raheel Kamran Sheikh (Advocate Supreme Court): “Truth, love and a little malice: fundamental rights of labor through the lens of Silicosis Case”

Miriam Neale: “Ensuring safe workplaces: An overview of the Accord’s key mechanisms”

Hiba Akbar (LUMS) : “Labour Conditions Under CPEC: Lessons for Activists”

Karamat Ali (PILER): “State-led Assault on Labor Rights in post colonial Pakistan”



Judicial Interventions and Social Justice

Session 2

This session will focus on the utilities and implications of judicial interventions geared towards a socially, economically, and politically equitable society.

Session Chair: Muneer A. Malik, Sr. Advocate Supreme Court

Format:

Individual Presentations + Q&A – 105 minutes

Discussion + Q&A – 60 minutes

Speakers:

Hamid Khan (Sr. Advocate Supreme Court): “Judicial Activism in the context of social justice”

Maryam S. Khan: “Rethinking Judicial Interventions: Functionality as Social Change”

Faisal Siddiqi (Advocate Supreme Court): “Judicial Activism: Inherent incompatibilities of Power, Law and Justice.”

Dr. Miriam Saage- Maaß (ECCHR, Germany) and Dr. Carolijn Terwindt (ECCHR, Germany): “Imperialistic Lifestyle and the Law – can existing structures be challenged?”

Dr. Nausheen Anwar (IBA) - Evictions and her own KUL work: “Everyday Encounters with the Law in the Urban Global South”

Waqas Mir (Advocate): “Judicial activism in Pakistan; beware of the living breathing”



Dreaming about the law: Pakistani, South Asian and International Legal Context

Session 3

This session will invite all participants to dream: it will seek to write a manifesto for social justice in South Asia through legal and judicial means and explore the possibilities of international law.

Session Chair: Justice (Retd) Tassaduq Hussain Jilani (Former Chief Justice of Pakistan, sitting Judge at the ICJ, The Hague)



Format:

Individual Presentations + Q&A – 90 minutes

Discussion + Q&A – 60 minutes

Speakers:

Justice (Retd) Tassaduq Hussain Jilani : “Global Rule of Law Challenges and the role of the International Court of Justice”

Mian Raza Rabbani (former Chairman, Senate of Pakistan): “Can Pakistan survive as a Constitutional Democracy?”

Dr. Miriam Saage- Maaß (ECCHR, Germany) and Dr. Carolijn Terwindt (ECCHR, Germany) “Changing the notion of responsibility in accordance with global realities”

Ineke Zeldenrust: “Labor rights agreements across International supply chains”

Palvasha Shahab: “Thinking Law Across the Borders”

Faisal Siddiqi: “Has the Pakistani Judiciary failed us?: Beyond unreal contentment and irrational criticism”



Participant Profiles

Honorable Justice Maqbool Baqar:

Honorable Justice Maqbool Baqar has been serving as a judge at the Honorable Supreme Court of Pakistan since 2015. Prior to his elevation to the Supreme Court of Pakistan, he was Chief Justice Sindh High Court.

Honorable Justice Qazi Faez Isa:

Honorable Justice Qazi Faez Isa has been serving as a judge at the Honorable Supreme Court of Pakistan since 2014. Prior to his elevation to the Supreme Court of Pakistan, he was Chief Justice of Balochistan High Court.

Justice (ret'd) Tassaduq Hussain Jillani:

Justice (ret'd) Tassaduq Hussain Jillani was sworn in as the Chief Justice of Pakistan in December 2013. Justice Jillani was appointed as Assistant Advocate General Punjab in 1979 and later as Advocate General Punjab in 1993. In 1994, he was elevated as Judge of the Lahore High Court and in July 2004, he was elevated to the Supreme Court of Pakistan. He received the International Justice Excellence Award by the International Institute for Justice in 2019. He has extensively written and spoken on various issues of social justice. He has served as a judge at the International Court of Justice (ICJ) at The Hague, Netherlands.



Shahid Bajwa:

Mr. Bajwa has been practicing at the Supreme Court of Pakistan since 2003. Mr. Bajwa specializes in Industrial Relations and Labour Laws. He was elected President of Industrial Relations Advisors Association in 2002 and was re-elected as such till his elevation. Mr. Bajwa was elevated as an Additional Judge of Sindh High Court in 2009, and was appointed Judge of Sindh High Court in September 2011. Mr. Bajwa retired from Sindh High Court on October 04, 2012. Presently, he is a Senior Advocate of the Supreme Court of Pakistan. Along with various articles, Mr. Bajwa has authored the book: “Law of Industrial Relations in Pakistan”.



Colin Gonsalves:

Mr. Gonsalves co-founded the Human Rights Law Network (HRLN) in 1989 and developed it into a national organization that has brought together over 200 lawyers and paralegals operating out of 28 offices spread throughout India. Mr. Gonsalves began his practice at the Labour Courts, and now practices at the Supreme Court of India in 2000. Mr. Gonsalves has written various articles and books on a range of human rights law issues. He received the “International Human Rights Award” from the American Bar Association in 2005 and, the “Mother Teresa Memorial Award” for Social Justice in recognition of remarkable contribution in legal services addressing human rights in 2010. He was also awarded a Doctorate, honoris causa, by the University of Middlesex, UK in 2010.



Raheel Kamran Sheikh:

Mr. Raheel Kamran Sheikh has a standing of almost twenty years specializing in litigation, arbitration and regulatory practices. He is a leading practitioner in various areas of law including taxation, international economic law, administrative law, white-collar crimes, intellectual property, insurance, media, energy and drugs regulation. He is also well known for his public interest litigations, as well. Mr. Sheikh has been elected as a Member Pakistan Bar Council, for a term of five years commencing January 2016. He has been elected as Chairman of the Rules Committee, as well as Human Rights Committee.



Miriam Neale:

Miriam Neale is the head of signatory engagement at the Accord on Fire & Building Safety in Bangladesh. With a background working for a multinational retailer and multi-stakeholder non-governmental organisations, Miriam has 15 years of experience in promoting labor rights in food and clothing supply chains globally. Since 2014, Miriam has led the Bangladesh Accord's signatory engagement work, supporting almost 200 company signatories to implement the Accord's workplace safety programmes with their suppliers. Miriam also supports the governance processes of the Accord, coordinating the Steering Committee and protocol development.



Hiba Akbar:

Hiba Akbar is Teaching Fellow at the Shaikh Ahmad Hassan School of Law, LUMS, where she researches gender and labor law. She is an alumnus of Columbia Law School, where she completed her LLM on the Fullbright scholarship. She has contributed to an expert opinion on Pakistani law in the litigation over the Baldia Town Factory fire case of 2012 in Germany.



Karamat Ali (PILER):

Mr. Karamat Ali is the Executive Director of the Pakistan Institute of Labor Education and Research (PILER). In his 42-year career as an exchange (trade) unionist, he has a prominent role in most of Pakistan's significant labour movements. He established PILER in 1982, along with other similar unionists and activists in Karachi. He also helped establishing the Pakistan-India People's Forum for Peace and Democracy and, in 2013, turned into the main beneficiary of the Didi Nirmala Deshpande Peace and Justice Award. He is also on the International Advisory Committee, Hague Appeal for Peace, and the International Council World Social Forum. Mr. Karamat Ali recently briefed the European Parliament, in Brussels, on general work conditions in Pakistan, particularly with reference to the Baldia factory fire and the impacts of global supply chains. He is one of the founders of Rasheed Razvi Centre for Constitutional and Human Rights.



Munir A. Malik:

Munir A. Malik has served as Attorney General of Pakistan. He was a key leader of the Lawyers' Movement in Pakistan. He is the former President of the Supreme Court Bar Association of Pakistan (SCBA). He was the leader of the legal defense team of Chief Justice of Pakistan Iftikhar Muhammad Chaudhry when the latter was dismissed by General Pervez Musharraf. He is a Board Member for the Rasheed Razvi Centre for Constitutional and Human Rights.



Hamid Khan:

Mr. Hamid Khan is a senior advocate of the Supreme Court of Pakistan. He specializes in constitutional law, administrative law, service laws and civil laws. Mr. Khan has appeared in a significant number of major constitutional cases before the Honorable Supreme Court of Pakistan. He has authored a number of books, including “Constitutional and Political History of Pakistan” (OUP), “A History of the Judiciary in Pakistan”, “Administrative Tribunals for Civil Servants in Pakistan” and “Eight Amendment: Constitutional and Political Crises in Pakistan”. He has also authored a number of articles on legal and social topics in periodicals and newspapers. Mr. Khan has been a visiting lecturer at the University of Punjab (1973 to 1980), National Institute of Public Administration; and Civil Services Academy.



Maryam S. Khan:

Maryam S. Khan is a graduate of Yale Law School. She is presently an SJD (Doctoral of Juridical Science) candidate at the University of Wisconsin Law School. Ms. Khan is the Director of Law and Policy Research Network (LRPN) and a Research Fellow at the Institute of Development and Economic Alternatives (IDEAS) in Pakistan. Maryam's published and ongoing research focuses on post-colonial themes of South Asian legal studies, including federalism and ethnicity-based politics, politics and sociology of the legal bar, comparative constitutionalism and constitution-making, and judicialization of politics. Her work has appeared in the Yale Journal of International Law, Harvard Journal on Racial & Ethnic Justice, Temple International & Comparative Law Journal, and Georgetown Journal of International Affairs, amongst other academic journals.



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Ineke Zeldenrust:

Ms. Ineke Zeldenrust takes a leadership role at Clean Clothes Campaign (CCC), International Secretariat, Amsterdam. She boasts several decades of experiences in research, mobilizing and activism. She is one of the main architects of the Bangladesh Accord, which was created in the aftermath of the Rana Plaza catastrophe. In the aftermath of the Baldia factory fire, she is now working with Pakistani CCC partners in discussing a sister agreement, the Pakistan Accord.



Dr. Miriam Saage-Maaß:

Dr. Miriam Saage-Maaß is Vice Legal Director at the European Centre For Constitutional and Human Rights (ECCHR). She coordinates the Business and Human Rights program. She has worked on various cases against corporations relating to exploitation of workers in Bangladesh and Pakistan, especially against Kik Textilien regarding liability in the Baldia factory fire, and against companies trading in cotton picked through forced child labor in Uzbekistan. She regularly publishes articles on the legal liability of corporations for human rights violations in the global supply chain and is internationally consulted as an expert in the area of corporate responsibility and human rights. She is a temporary lecturer at the Freie Universität Berlin. Dr. Saage-Maaß and ECCHR's General Secretary were awarded the Hans Litten Prize in 2016 by the Association of Democratic Lawyers (Vereinigung Demokratischer Juristinnen und Juristen – VDJ), Germany, in acknowledgment of their role in the strategic approach of ECCHR's work



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Rasheed A. Razvi:

Mr. Rasheed A. Razvi joined the legal profession in the year 1973 and now has a legal standing of over 46 years. He has also served as a Judge of the High Court of Sindh. He has to his credit several reported cases in various fields including but not limited to civil, criminal, labor, constitutional and intellectual property laws. Mr. Razvi was elected as the General Secretary of the Karachi Bar Association in the year 1981 and it's President in the year 1987. He was also elected Vice Chairman of the Sindh Bar Council. He was elected as the President of the Sindh High Court Bar Association multiple times. He has also served as the President of the Supreme Court Bar Association of Pakistan. He was the President of the Pakistan Chapter of SAARC Law from 2009 till 2017 and is a life member of the Commonwealth Judges and Magistrate Association. He is one of the founders of Rasheed Razvi Centre for Constitutional and Human Rights.



Nausheen H. Anwar:

Nausheen H. Anwar is Director, Karachi Urban Lab; Professor City; Regional Planning, Department of Social Sciences; Liberal Arts (SSLA), Institute of Business Administration (IBA), Karachi. She received her PhD from the Graduate School of Architecture, Planning, and Preservation (GSAPP), Columbia University. Nausheen also holds a MIA from the School of International and Public Affairs (SIPA), Columbia University. Her work focuses on the politics of urban planning and infrastructural development. She has authored a book: *Infrastructure Redux: Crisis, Progress in Industrial Pakistan & Beyond* (2015, Palgrave Macmillan); written numerous journal articles in academic publications such as *Antipode*, *Urban Studies* and *Political Geography*; and published for online media such as *Dawn*, *Prism*, *MIT Technology Review* *Pakistan* and *Huffington Post*. Nausheen is also the recipient of grants from organizations such as IDRC, DFID, ESRC-AHRC, GCRF, National University of Singapore and Harvard University. She is committed to public outreach to advance the understanding of global-urban issues to foster the development of humane and politically inclusive cities.

Waqqas Mir:

Waqqas Mir is an advocate of Lahore High Court. His practice primarily focuses on civil, commercial, competition, taxation and constitutional law litigation. Waqqas also appears in matters relating to environmental law as well as animal rights. In 2015-2016, Waqqas was appointed as amicus curiae on four different occasions by the Lahore High Court. He has also written on various aspects of the law. Waqqas was called to the Bar of England and Wales in 2007 and is a graduate of Harvard Law School.



Dr. Muhammed Azeem:

Dr. Muhammed Azeem is on the faculty of Shaikh Ahmad Hassan School of Law, Lahore University of Management Sciences (LUMS). He obtained his PhD from the Osgoode Hall Law School, Canada. His practice mainly involves public interest litigation on issues concerning workers and peasants in the Lower and High Court for 6 years. He has written various books on labor-related issues: “WTO and Globalization” (Language: Urdu); “The Problems of Free Trade: An Historical Analysis” (Language: Urdu); “Multi –National Corporations: A New Face of Imperialism?” (Language: Urdu); “Law, State and Inequality in Pakistan” (Language: English)

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Mian Raza Rabbani:

Mr. Mian Raza Rabbani is an eminent politician, human rights advocate and constitutional scholar. He is the main architect of the 18th Amendment to the Constitution of Pakistan. He served as the 7th Chairman of the Senate of Pakistan from March 2015 to March 2018. He has been elected a senator multiple times. He was appointed deputy secretary general of Pakistan People's Party in 1997 and leader of the opposition in the Senate in 2005. Rabbani has served as Federal Minister for Inter-Provincial Coordination, Minister of State for Law and Justice, and Leader of the House and Opposition in the Senate. Raza Rabbani was unanimously elected as the Chairman of the Senate of Pakistan in March 2015. He writes extensively and has authored the book: "A Biography of Pakistani Federalism Unity in Diversity".



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Dr. Carolijn Terwindt:

Dr. Carolijn Terwindt studied law and anthropology from Utrecht University. She joined the Business and Human Rights program at ECCHR in 2012. She works closely with workers and their families in Pakistan and Bangladesh on cases of corporate liability in the textile industry. She further developed novel litigation on socio-economic rights in relation to the agribusiness in India. She has published on a wide range of topics, including identity politics, anti-terrorism legislation, contentious criminalization, and the liability of pharmaceuticals off shoring their clinical trials. She extensively researches and writes on issues pertinent to her work. Dr. Terwindt has recently published her book titled: "When Protest Becomes Crime: Politics and Law in Liberal Democracies - Anthropology, Culture and Society".



Faisal Siddiqi:

Faisal Siddiqi is a leading Pakistani constitutional, civil and human rights lawyer. He is one of the founders of two organizations; the Rasheed Razvi Centre for Constitutional and Human Rights and the Legal Aid Foundation for Victims of Rape and Sexual Assault. Mr. Siddiqi is an active member of the Board of Directors of Pakistan Institute for Labor Education and Research (PILER). He has been a Visiting Fellow at the London School of Economics, UK, and at McGill University, Canada.



Palvasha Shahab:

Palvasha Shahab is the Executive Director for two initiatives of Siddiqi, Vawda, Usman and Memon Law Associates; the Rasheed Razvi Centre for Constitutional and Human Rights, and the Legal Aid Foundation for Victims of Rape and Sexual Assault. Her area of practice includes constitutional, human rights, criminal and public international law. She is a graduate of Columbia Law School. Shahab has previously worked at the Human Rights Commission of Pakistan, where she oversaw work in the Sindh province. Under the broad mandate of the Commission, her work tended to focus on enforced disappearances, occupational health and safety, equality, and non-discrimination law. She also assisted the Human Rights Committee of the Pakistan Bar Council.



Message From RCCHR

We are thrilled to have you join us at our first flagship conference titled: “Law, Judicial Interventions and Social Change, with a special focus on Labor Law”.

The Rasheed Razvi Centre for Constitutional and Human Rights (RCCHR) is a joint initiative of Pakistan Institute of Labor Education and Research (PILER), Mr. Rasheed Razvi (Sr. Advocate Supreme Court), and Siddiqi, Vawda, Usman and Memon Law Associates. It primarily focuses its work on Public Interest Litigations. RCCHR files and pursues issue based cases, of immediate relevance and public importance, at the Honourable Supreme Court and the High Courts of Pakistan. Its work ranges from petitions of de-politicization of the police, land reforms, housing rights, right to food, living wages and healthcare to police brutality and mismanagement of health crises.

RCCHR also places equal importance on effective public engagement and other means of social justice interventions. The fundamental purpose of this Conference is to facilitate engagement and collaboration amongst leaders and pioneers in social justice work, and to make that interaction publicly accessible. This initiative places its faith in the Intra-South and North-South solidarity.

We hope to have dynamic debates and collaborative exchanges between public interest litigators, academics, members of the judiciary, who have adjudicated upon landmark public interest litigations, political workers and activists from various jurisdictions.

We look forward to continuing a tradition of public engagement, intellectual inquiry and facilitating the development of legal thought and scholarship in the country. To this end, we look forward to continuing and initiating collaborations with academic

institutions, think tanks, judicial academies and other initiatives, within and outside Pakistan, that share our vision and resolve to make a difference.

We look forward to continuing public engagement; and we aspire to continuously improve upon the level of debate, discussion and action in the sphere of social justice.

Thank you.
Team RCCHR





SIDDIQI, VAWDA, USMAN & MEMON
LAW ASSOCIATES
KARACHI | LAHORE | ISLAMABAD