

A Progress Assessment

National Action Plan for Human Rights

Amjad Nazeer

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Acronyms

CDA	Capital Development Authority	NCRC	National Commission on the Rights of
CrPC	Criminal Procedure Code		Children
CSOs	Civil Society Organizations	NCSW	National Commission on the Status of
FIA	Federal Immigrations Authority		Women
GBV	Gender Based Violence	NGOs	Non-Governmental Organizations
GOP	Government of Pakistan	NHRIs	National Human Rights Institutions
HEC	Higher Education Commission	NISP	National Income Support Program
HR	Human Rights	NPF	National Policy Framework
HU	Housing and Urban Development	P&D	Planning and Development Department
	Department	PBM	Pakistan Bait-ul-Mal
INGOs	International Non-Governmental	PCSW	Provincial Commission on the Status of
	Organizations		Women
IPC	Inter-Provincial Coordination Division	PEMRA	Pakistan Electronic Media Regulatory
LHW	Lady Health Worker		Authority
M/o H&W	Ministry of Housing and Woks	PPC	Pakistan Penal Code
M/o L&J	Ministry of Law and Justice	PSDP	Public Sector Development Program
M/o RA&IH	Ministry of Religious Affairs and Interfaith	SOPs	Standing Operating Procedures
	Harmony	TICs	Treaty Implementation Cells
MIS	Management Information System	UN	United Nations
NCC	National Curriculum Council	UNCRPD	UN Convention on the Rights of Persons
NCHR	National Commission on Human Rights		with Disabilities
NCM	National Commission on Minority		

“The World Conference on Human Rights recommends that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights”.

- *Vienna Declaration and Programme of Action*¹

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NATIONAL ACTION PLAN FOR HUMAN RIGHTS

A PROGRESS ASSESSMENT

Executive Summary

Pakistan's first ever Action Plan on Human Rights was launched in February 2016 which comprises on 6 themes, 16 outcomes and 60 actions to be undertaken. The Plan sets out a policy, legislative and implementation framework for coordinated efforts between federal ministries, institutes and concerned provincial departments. Defined priorities, strategic direction and targets are devised to improve the state of human rights in the country.

Almost three years down the road, relatively limited information, reporting or progress assessment has been undertaken around the implementation of its thematic areas, corresponding outcomes and the action points set forth. Making a precise assessment and analysis of the present state of legislative measures, national and provincial policy frameworks, task forces and the scope of implementation on ground, DRI has developed a comprehensive report to supply the stakeholders with a synopsis of the Action Plan. Precisely, the report identifies institutional and practical strengths and weaknesses and extends broad recommendations to improve the process and outcome of the Plan.

A handy illustration of the implementation status against the proposed plans and actions along with sub-themes and subordinate actions is given in this document in the shape of 'traffic lights' with 'indicative colours'. The achievements under the respective thematic areas are highlighted in 'green', which signifies that an action or secondary-action is being notified and enacted, 'amber green' indicates an action is formed, approved, established, by the relevant authority. Progress is highlighted in 'yellow' light, indicating areas where work has been planned, commenced or proceeding, ongoing, and requires continuous efforts to achieve the action or sub-action under the Plan. Lastly, 'amber red' indicates an action indicates an area where there has been little or very limited progress since the inauguration of the Action Plan in February 2016. While 'red' indicates areas where work has not yet begun. In general, the implementation of the Action Plan is underway, with relative progress being made in some important areas while there is need for improvement in other areas.

The National Policy Framework on Human Rights has been devised but yet not approved by the cabinet. However, the provincial human rights policies and strategies, necessary for the operationalization of the Action Plan, have been finalized and approved in three of the provinces. National Human Rights Institutions (NHRI) has yet not been formulated. However, the National Commission on Human Rights (NCHR) is very much there but needs greater administrative, financial and political autonomy. The process of formulation of the Provincial Commissions on Human Rights (PCHR) need to be expedited. National Commission on the Status of Women (NCSW) and the Punjab Commission on the Status of Women (PCSW) are doing relatively better but other provincial commissions need to be strengthened and empowered with the provision of resources, staff and other technical facilities.

Consideration be given to issue detailed Action Plan in future with specific targets, keeping in view Pakistan's international human rights obligations and recommendations extended by the Universal Periodic Reviews (UPRs) and other Treaty Bodies against key conventions ratified by Pakistan. The Plan needs to include the activities breakdowns, specific time-lines, corresponding indicators and responsible departments and institutions.

The MoHR needs to consider developing annual and bi-annual progress reports around the implementation process of the Action Plan at national and provincial levels and marking its success or future course of action and make it public.

The National and Provincial Taskforces on Human Rights need to serve as the central coordination bodies at the Federal and Provincial levels to ensure that all the tiers of the government and its affiliate departments and centers are interconnected and complementing each other's work to ensure success.

Women's rights initiatives need to be broadened to ensure their economic empowerment, political participation and reproductive health rights. Similarly, there is need to make concerted efforts to safeguard children's right to education, right to health and their right to safer environment for their adequate growth and development. Freeing and emancipating street-connected children, bonded-labour children and working children for their better social, physical, intellectual and economic advancement.

The National Action Plan needs to incorporate human rights responsibilities of industries and businesses as prescribed by the UN Global Compact and UN guiding principles on business and Human Rights.

NGOs, media and other civil society organizations need to integrate relevant aspects of the Action Plan in their annual strategic plans and projects, and coordinate with the government at the national and provincial levels to effectively execute the Plan related actions and activities.

CHAPTER – 1

INTRODUCTION

1.1. Preface

In response to the growing international demand and realizing the convergence of human rights, development and democracy, the Government of Pakistan (GoP) came up with its first-ever National Action Plan for Human Rights (NAPHR) in February 2016.² Led by the Ministry of Human Rights (MoHR), the plan is meant to institutionalize openness, accountability, rule of law and to improve socio-economic progress as well as individual and community welfare. Precisely, it comprises 6 themes, 16 outcomes and 60 actions to be realized in all areas of concern within a prescribed time frame:

- I. Policy and legal reforms;
- II. Implementation of key human rights priorities;
- III. Cross-cutting interventions for protection of human rights;
- IV. International/UN treaty implementation;
- V. Institutional interventions;
- VI. Implementation and monitoring mechanism.

Beginning with a positive note, the Action Plan is a step in the right direction. Identifying key targets and priorities the Plan assigns a range of activities to the federal and provincial ministries and line departments to improve the situation with mutual coordination. With representation from the provincial Law and Human Rights Departments, the National Task Force was constituted under the chairmanship of the Federal Minister for MoHR. While commencing the Plan, an amount of Rs.750 million was allocated to develop institutionalized mechanisms to realize the rights envisaged in the Action Plan with Rs.400 million for human rights education cum awareness; Rs.250 million to establish National Human Rights Institute and Rs.100 million as endowment fund to provide free legal assistance to the victims of human rights violence.

In April 2018, the GoP allocated Rs.300 million for the on-going and new initiatives of the MoHR and Human Rights Division for 2018-19 which includes Rs.198.5 million for 3 new schemes, including Rs.91 million to construct NHRI's building and Rs.60 million to build Working Women's Hostel in Islamabad. About Rs.47.36 million was reserved to strengthen Regional Directorates of Human Rights while Rs.23 million was reserved for effective implementation of the Action Plan for Human Rights³. It is also relevant to mention that only Rs.80 million was spent on seminars and conferences out of the Rs.400 million allocated for education and awareness-raising in the tenure of previous government and the rest, perhaps, lapsed⁴.

Closer to three years down the road, the report in hand attempts to comprehensively assess the progress made so far by taking stock of the legislative, administrative and institutional actions taken so far along with identifying gaps and shortfalls. Before appraising the implementation status that constitutes major chunk of the report, it briefly highlights the need and relevance of the Action Plan in the light of Paris Principles and UN guidelines.

Encompassing the elaborate plan, it also underlines the European Union's second biennial assessment of Pakistan's progress around the General Scheme of Preferences Plus (GSP+) and its implementation of human rights commitments in general what remains a persistent challenge for Pakistan⁵. Specifically with reference to the Action Plan, the EU's GSP+ biennial report highlights the lack of progress in reporting its human rights obligations to the people as well as its ambiguous description of the state of human rights in the country.

Against each thematic area and respective outcome, the report explains and analyzes the progress made so far in an organized manner. Coupled with recommendations, gaps, issues and shortcomings are sequentially highlighted to improve the present situation. Certain unofficial sources suggest that the present government may revise the Plan with reprioritizing and re-articulating certain themes according to their own preferences. However, till the last strokes given to the report the Plan under review was intact.

1.2. Scope and Methodology of the Assessment

The report intends to provide an overview of the implementation process and current status of the NAPHR. Rather than delving into scrupulous details, it seeks to paint a broader picture of the situation for all the stakeholders say civil society, media and the authorities responsible. Given the limitation of publicly available information and hitches faced in seeking it directly from the official sources, its scope is relatively limited. Yet no stone was left unturned to seek as maximum and accurate information as possible.

To look through the implementation process and draw a comprehensive analyses, a three-pronged approach was adopted. Initially, publicly available information, regarding the implementation of the Action Plan was collected from the national print media. Secondly, the desired information was retrieved from the respective federal and provincial ministries and human rights departments cum institutions. To enrich and supplement this understanding, certain aspects and dimensions were discussed with human rights experts and civil society activists. However, by carefully assessing and analyzing broader themes and progress against specific outcomes and actions, the report extends some policy suggestions and recommendations at the end.

1.3. Pakistan's National Action Plan in International Perspective

Developed by the United Nations' High Commission for Human Rights, the 'Handbook on National Human Rights Action Plans (2002)' extensively advises countries about the planning and predation, consultative process, stakeholders inclusion, methodology, content and structure, implementation and monitoring mechanism, and resource allocation to improve human rights situation in respective countries. The Handbook emphasizes on the essential inclusion of a statement of purpose, goals and objectives, devising time-bound targets and benchmarks and developing a list of anticipated activities to realize the stated objectives along with the performance indicators. Pin-pointing performance indicators are important to measure progress against the stated objectives. Besides that the Handbook asserts the States to specify responsible departments, institutes and respective state actors and agencies responsible to effectively realize the Plan⁶.

As claimed by the federal MoHR (then Ministry for Law, Justice and Human Rights), Pakistan's NAPHR was developed with considerable input and suggestions from the federal and relevant provincial

departments. In reality, however, the sphere of consultation was quite limited. Contrary to the advice of the UN Handbook, the human rights committee were not consulted. Likewise, the consultation with the civil society – including media and NGOs was extremely limited indicating a design flaw from the Handbook’s perspective⁷. Hence, there is a substantial room for improvement in the present framework accommodating outcomes, targets and desired actions.

Though, not a legal binding on behalf of the UN, but development of a ‘national plan of human rights’ by the member states’ has become a leading trend to demonstrate their commitment to improve human rights and set a roadmap for its progressive realization in their respective countries. Complying to the principles and standards as enshrined in UN conventions, a wider international will and consensus is observed to proactively develop human rights ‘national action plans’ as prescribed in the General Comments of UN ‘treaty bodies’ – maintaining prime significance within the UN human rights conventions. Besides that, part of the official advice on the formulation and implementation of ‘national action plans’ is embedded in the treaty bodies too.

So far a little less than 50 states all over the world have developed their ‘national action plans’ for the promotion and protection of human rights on ground, ranging from Australia, Britain, Spain, Norway and China to developing countries like South Africa, Lebanon, Indonesia, Finland and a couple of countries from South Asian region ie Nepal and Sri Lanka too. Several of these countries have completed their first cycle of implementation and developed their subsequent action plans to make further progress but Pakistan is struggling with its first cycle of implementation.

1.4. NAP Development Process

The consultative process adopted by the MoHR while developing the national plan, meant to accommodate multiple components and contents, can be summarized here below:

Stakeholders as Recommended by the UN Handbook on Human Rights	Degree of Consultation
With parliament	Limited
With relevant government ministries – federal and provincial	Comprehensive
NGOs and human rights activists	Extremely limited
Media	Extremely limited
Independents think tanks	Extremely limited
Independent lawyers	Extremely limited
Inter-governmental coordination and consultation	Not clear
Components:	
Scope of Goals (Outcomes and Actions)	Comprehensive
Time bound benchmarks	Limited
Performance indicators	None
Oversights and monitoring mechanism of NAP Implementation	Very Poor

Comparatively speaking, there are certain gaps and shortcomings in Pakistan's action plan. For instance, Sri Lanka's second HRs Action Plan (2017-2021)⁸ and framework specifically indicates its goal, objectives, activity, responsible agency, timeframe and performance indicators. Regarding, time-bounded activities with benchmarks, Georgia,⁹Indonesia¹⁰ and Australia’s national action plans are worth learning from¹¹. The benchmarks contained in Australia’s 3rd NAP, for instance, bounds implementation of certain actions to particular year/s e.g. in 2010, 2011, or 2010-2014. Specifying

timeframe to realize an action encourages and makes corresponding agencies and/or departments responsible to materialize an objective.

CHAPTER 2

THEME WISE ASSESSMENT AND ANALYSIS OF THE ACTION PLAN

2.1. THEMATIC AREA – I: POLICY AND LEGAL REFORMS

The first thematic area of the action plan incorporates three outcomes iie: Formulation of a national policy framework for the promotion and protection of human rights; Legislative reforms, including the drafting of new laws, enforcing existing ones, and reviewing legislation related to human rights and; Administration of justice through provision of legal aid and ensuring speedy justice through courts and offices of the ombudsman:

2.1.1. Outcome 1: National Policy Framework and Provincial Human Rights Policies/Strategies

The first step to promote and protect human rights was the Federal Cabinet’s approval of the National Policy Framework (NPF) that was formulated after a broad-based consultative process. It has been tabled but yet not approved. In collaboration with an NGO¹², the MoHR and the provincial HRDs and/or Directorates of all the four provinces have formulated the draft ‘provincial human rights action plans and strategies’ for the promotion and protection of human rights¹³. Except in Balochistan, rest of the three provinces have got their respective strategies approved¹⁴.

Initiated by the Economic Affairs Division (EAD), Pakistan pledged Open Government Partnership (OGP) International to develop its National Action Plan (2017-19) by the end of 2016¹⁵. The proposed action plan is meant to institutionalize and promote access to information and justice, financial transparency, public asset disclosure, strengthening accountability, transparency and the provision of digital services in all the four provinces, AJK and Gilgit Baltistan. Pertinently, the plan includes civil society and citizens’ engagement in policy development and information management mechanism for human rights complaints and women’s empowerment for political and economic participation¹⁶. OGP-NAP draft was prepared by mid-October 2017. However, missing its 4th deadline, the plan could not be submitted to the International OGP Secretariat till September 1, 2018¹⁷.

Human Rights Policies Frameworks, Joint Committees & Task Forces
 (Source-Multiple including MoHRs, HRD Punjab, Print Media, Respective Provincial HRDs)

National

National Policy Framework on Human Rights	Formed	✓	National Task Force – Performance reviewed through meetings	Formed (May 2017)	✓
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Punjab

Human Rights Policy Framework – Punjab (2018)	Notified (May 2018)	✓	Provincial Task Force to implement NAPHR	Established 2017	✓
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Khyber Pakhtunkhwa (KPK)

Provincial Task Force for the implementation of NAPHR	Notified (Aug. 2016)	✓	Advisory Committee on Human Rights	Notified (Dec. 2016)	✓
Human Rights Policy Framework	Approved (May 2018)	✓			

Notified ✓ Formed, Approved, Established, In Process ✓

Human Rights Policies Frameworks, Joint Committees & Task Forces
 (Source-Multiple including MoHRs, HRD Punjab, Print Media, Respective Provincial HRDs)

Sindh

Provincial Task Force to implement NAPHR	Established 2017	✓	Human Rights Policy Framework	In Process	✓
The Sindh Labor Policy - 2018	Formed	✓			

Balochistan

Provincial Task Force to implement NAPHR	Established 2017	✓	Human Rights Policy Framework	Approved (Dec. 2016)	✓
Steering Committee on Human Rights	Formed	✓	Committee Against the Harassment of Women'	Formed, Notified	✓

Notified



Formed, Approved, Established, In Process



Review, Research and Policy Status by MoHRs
 (Source: MoHR's on the Completion of its First 100 Days in Government)

Research on Inheritance by MoHRs	Planned	---	Committee on Mercy Petitions by MoHRs	Planned	---
Research on Street Children (ICT) by MoHRs	Planned	---	Consultative Inter-Ministerial Committee on Legal Aid by MoHRs	Planned	---
Balochistan's Joint Committee to identify gaps & review discriminatory legislation by MoHRs	Planned	---	Research on harmonizing laws on international commitments by MoHRs	Planned	---
Policy against Gender Based Violence (GBV) by MoHRs	Planned	---	Prevention and Control of Human Trafficking Ordinance 2002 Review by MoHRs	On-going	---
Women empowerment policy by MoHRs	Planned	---	Human Smuggling Ordinance 2002 Review by MoHRs	On-going	---
Policy on Child Abuse by MoHRs	Planned	---			

Planned & On-going by MohRs ---

National and Provincial Commissions and Ombudsman Offices

(Sources: Multiple – Provincial Human Rights Departments, Print Media)

National

National Commission on Rights of the Child (NCRC) 2017

Established



Punjab

Punjab Women Protection Authority

Established



Punjab – PCSW: Sub-Committees on rape laws, labor laws, inheritance, mental health laws, acid & burn crime laws & Christian divorce. Recommendations forwarded to GoPj & the Federal MoL&J in November 2018

5 Sub-Committees notified on Oct. 2018



Khyber Pakhtunkhwa (KPK)

KPK Commission on the Status of Women (2017)

Established



Established, Notified

2.1.2. Outcome 2: Legislative Reforms

Legislative Reforms Status

(Sources-Multiple: Relevant Provincial Human Rights Department, Print Media)

National

Criminal Law (2nd Amendment) (Child Protection) Act 2016



Criminal Law (Amendment Act) (Offences Relating to Rape) Act 2016



National Commission on the Rights of the Child Act 2017



The Islamabad Compulsory Vaccination and Protection of Health Workers Bill 2015



Criminal Bill (Amendment) (Offences in the name or under the pretext of honour Bill 2018



The Hindu Marriage Act 2017 (National). Extends to Sindh, Balochistan, KPK, Punjab & ICT



Torture, Custodial Death and Custodial Rape Bill 2018



Costs of Litigation Act 2017



The Transgender Persons (Protection and Rights) Act 2018



Punjab

Punjab Criminal Law (2nd Amendment) Act 2011 - (Acid Control and Acid Crime Act)



Punjab Marriage Restraint (Amendment) Act 2015



The Punjab Protection of Women against Violence Act 2016



Enacted



Bill Drafted



Legislative Reforms Status

(Sources-Multiple: Relevant Provincial Human Rights Department, Print Media)

Khyber Pakhtunkhwa (KPK)

KPK Commission on the Status of Women (PCSW) Act 2016



KPK Prohibition of Employment of Children Act 2015



KPK Child Protection and Welfare (Amendment) Act 2016



The Khyber Pakhtunkhwa Bonded Labour System (Abolition) Act 2015



Sindh

Sindh Anti-Beggary Act 2018



The Sindh Prohibition of Employment of Children Act 2017



The Sindh Prohibition of Corporal Punishment Act 2017



The Sindh Differently Able Persons (Employment, Rehabilitation and Welfare) (Amendment) Act, 2017



Balochistan

Balochistan Violence Against Women (Prevention and Punishment) Bill 2016



The Balochistan Persons with Disabilities Act 2017



Balochistan Protection of Communal Properties of Minorities Act 2018



Balochistan Domestic Violence Act 2017



Balochistan Domestic Violence Act 2017



Balochistan Witness Protection Act 2016



Enacted 

Bill Drafted 

Outcome 2: Legislative Reforms

(Just Drafted and Proposed Bills)

(Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)

National

ICT Child Protection Bill 2018 <i>(Just Drafted)</i>	⋮	The Civil Procedure (Amendment) Bill <i>(Proposed by MoL&J)</i>	⋮
Corporal Punishment Bill 2018 <i>(Just Drafted)</i>	⋮	The Enforcement of Women Property Bill (2018) <i>(Proposed by MoL&J)</i>	⋮
Disability Bill 2018 <i>(Just Drafted)</i>	⋮	The Whistle Blower Protection and Vigilance Commission Bill (2018) <i>(Proposed by MoL&J)</i>	⋮
Legal Aid and Justice Authority Bill 2018 <i>(Just Drafted)</i>	⋮	The Letters of Administration and Succession Certificates Bill (2018) <i>(Proposed by MoL&J)</i>	⋮
Zainab Alert Bill <i>(Just Drafted)</i>	⋮	Mutual Legal Assistance Bill 2018 <i>(Proposed by MoL&J)</i>	⋮
Christian Marriage and Divorce Bill <i>(Just Drafted)</i>	⋮	The Action Plan for Women and Girls in the Legal System <i>(Proposed by MoL&J)</i>	⋮
Enforced Disappearance Bill (NCHR) <i>(Just Drafted)</i>	⋮	Amendment of Child Marriage Restraint Laws across Pakistan <i>(Proposed by MoL&J)</i>	⋮

Little or No Progress



**Outcome 2: Legislative Reforms
(Just Drafted and Proposed Bills)**

(Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)

National

The Torture and Custodial Death (Prevention and Punishment) Bill 2018 *(Just Drafted)*



Amendment to the Muslim Family Laws Ordinance 1961 *(Proposed by MoL&J)*



ICT Prohibition of Employment of Children Bill 2016



Parsi Marriage and Divorce Bill *(Proposed by MoL&J)*



Punjab

Punjab Sikh Anand Karaj Marriage Bill 2018 *(Just Drafted)*



Punjab Domestic Workers Bill *(Just Drafted)*



Khyber Pakhtunkhwa (KPK)

KPK Ombudsman (Amendment) Bill 2016



Little or No Progress



Outcome 2: Legislative Reforms and Effective Enforcement
 (Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)

Role of Ombudsman to be Strengthened and Enhanced	---	Domestic Violence (Prevention and Protection) Bill 2013	✘
Forensic Science and Physical Facilities-KP, Balochistan, Sindh	---	Child Marriage Restraint (Amendment) Bill 2017	✘
Enforcement of Speedy Justice for Victims of Human Rights Violence (Proposed at National Level by MoL&J)	IR	Christian Marriage (Amendment) Bill 2014	✘
Balochistan Child Marriage Prohibition Bill 2018	IR	Enforcement of the Punishment of False Accusation of Blasphemy Laws (Sec 194 & 211 of PPC)	✘
Bonded Labour System (Abolition) Act 1992 (Implementation)-National	IR	Enforcement of Harassment of Women at Workplace	✘
Khyber Pakhtunkhwa Vaccination (Amendment) Bill 2017	✘		

Weak Enforcement 
 Little or No Progress 
 No Progress 

2.1.2.1. Effective Enforcement of Bonded Labour System (Abolition) Act 1992 - Save Balochistan, the Bonded Labour Act (1992) has been adopted by all the four provinces, however without any visible outcome or significant success. Required rule of business have not been adopted in Punjab and Sindh provinces. More than once, the Provincial Tripartite Consultation Committees (PTCCs) met and brainstormed around the issue and extended suggestions to the concerned quarters. District Vigilance and Inspection Committees (DVCs) are also formed but remain ineffective and inefficient. Their inspection visits and reporting is usually irregular and without any effects to enforcement. Similar committees are formed in certain districts of Punjab and KP but fail to play a role with respect to identification, emancipation and rehabilitation of the bonded labourers - including women and children. Facilitated by an integrated, "Elimination of Child and Bonded Labour Project 2014", the Government of Punjab (GoPj) freed and rescued thousands of children from brick-kiln and related industries but they were never rehabilitated effectively. In certain cases FIRs are also launched (mainly in Punjab) against *bhatta* owners employing children but no further action is taken.

2.1.2.2. Effective enforcement of anti-women practices & harassment against women - The Criminal Law 2011 (Anti Women Practices) has been enacted in 2016. The law, beyond doubt, has strengthened legislation on women's rights but the question of enforcement remains as it is. Under the new law, when a woman is murdered in the name of *ghairat* (honour) by her relative or a family member, they are or can be subjected to strict punishment, even if they are pardoned by the victim's relatives and/or family members. However, civil society advocates and women rights activists have highlighted, time and again, the lack of effective enforcement of the law. One of the major stumbling blocks is the definition of a crime as an 'honour killing' or '*ghairat key nam pe qatl*' and the decision is largely left to the interpretation or to the judge's discretion, and the culprit often seeks to prove an alternative motive.

2.1.3. Outcome 3: Administering Justice:

2.1.3.1. Fund for free legal aid for poor victims of human rights violence - The GoP has set up a statutory endowment 'Access to Justice & Development Fund' to overcome budgetary constraints faced by the judicial and legal sectors. The L&J Commission has formed the District Legal Empowerment Committees and has released about Rs.21 million from 2013 to 2016 to 106 districts across the country. Out of the same Rs.5.14 million have been disposed of to facilitate free legal aid to the needy, poor and vulnerable litigants. According to MoHR, legal and financial assistance is appropriately being provided to the victims of human rights violence all over the country. In the last couple of years about 170 applicants have been supported with an amount to Rs.2,200,000.¹⁸ However, limited to no information is available about the nature of the cases and their classification as to how much money has been provided to what category of victims in what area.

2.1.3.2. Speedy justice for victims of human rights violence through the provision of law enforcement agencies - Ministry of Law & Justice, expressed its plans to amend the civil law to ensure speedy justice and make the judicial system efficient. 'From filing of a civil case to defense, the ministry stressed the cases should be dealt within 75 days including framing the case within 30 days and 15-20 days for evidence collection. Recording it within the due course of time, implementation will then take place within 90 days. It is expected that to expedite the process of handling the civil cases, the provinces will legislate accordingly¹⁹.

To contribute in fair and speedy trial objectives, the Public Prosecution Department has set up the Directorate of Monitoring and Evaluation. Having done their assessment of evidence and public interest tests, it will submit its report to the prosecutors and the court as required under Article 10-A of the Constitution of Pakistan (CoP). Lahore High Court has established some Alternate Dispute Resolution (ADR) Centers to assist the litigants in speedily resolving their disputes out of the court. The LHC also lauded the role of Bar for supporting this initiative.

However, in Balochistan and KP, there is very little or limited progress around the provision of speedy justice to the victim of human rights violence.

2.1.3.3. Role of Ombudsman to be Strengthened and Enhanced – Pertinent efforts have been underway to strengthen the Federal Ombudsman Secretariat to protect women from harassment at their workplaces. In August 2016, the Protection of Women against Harassment at their Workplaces (PWAHW) put up an online complaints system to streamline complaints received from working women and address these effectively²⁰.

Moreover, the office of Ombudsman for the (PWAHW) is operational in Punjab and Sindh provinces. In Balochistan, the Ombudsman has yet not yet been appointed. In Khyber Pakhtunkhwa, the process of amending the law for the appointment of Ombudsperson is in process but is yet to be finalized (the proposed amendment was approved by Khyber Pakhtunkhwa Cabinet at the end of November 2017).²¹

Through its Central and Regional Commissioners on PWAHW, the Federal Ombudsperson for (PWAHW) is also serving at the federal as well as at the provincial levels too.

2.1.3.4. Improve Forensic Science and Upgrade Physical Facilities and Equipment - To investigate crimes through modern techniques, Punjab Forensic Science Agency (PFSA) has been developed and is quite efficient and effective. Replacing the obsolete methods, PFSA, along with its Crime Scene Units and Satellite Stations, is now integral part of the judicial system. Roughly about 5000 cases are referred to it each month. Lacking equipment and other facilities, the Forensic Sciences Laboratories, Forensic Medicine and Toxicology Department in KP are quite poor. Even the accessibility to medico-legal clinics is difficult. Cases are referred to other provinces. Medico-legal report writing does not follow any code of conduct while record-keeping and follow-up mechanism is missing²². However, medico-legal and forensic capacity of Balochistan is quite poor. The province has requested the center to help it improve its capability in this regard.

2.2. THEMATIC AREA - II: IMPLEMENTATION OF KEY HUMAN RIGHTS PRIORITIES

The second thematic area identified in the Plan is the implementation of key human rights priorities. These include: protection of women rights and elimination of Gender Based Violence (GBV); protection of rights of minorities; protection of child rights; Rights of Persons with Disabilities (RPWD); and Prison Reforms.

Thematic Area II: Implementation of Key Human Rights Priorities
(Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)

Criminal Laws (Amendment) Act 2016	✓	Juvenile Justice System Act 2018	✓
National Commission for Minorities (NCM)	---	ICT Child Protection Bill 2018	---
National Policy Guidelines on Gender Based Violence	---	Disabled Persons (Employment and Rehabilitation) (Amendment) Act 2015	---
Women Empowerment Package	---	Disabled Impact Assessment (DIA)	---
Minority Welfare Fund	---	Jail inmates Rehabilitation Program	---
National Commission for Inter-faith Harmony Bill	---		

Enacted ✓
On-going ---

2.2.1. Outcome 1: Protection of Women Rights & Elimination of Gender Based Violence (GBV)

Under the above said commitment, the following initiatives were supposed to be taken. Here goes their precise assessment:

2.2.1.1. Formulation of national policy guidelines on gender-based violence and review discriminatory legislation against women - 'Draft National Policy on Ending Violence against Women and Girls' has been developed by the MoHR. Also, it has conducted stakeholders consultations to gain wider input on the draft policy guidelines. However, the draft policy awaits submission to Cabinet for approval. Prevention, protection, response and rehabilitation mechanisms are its key features. Coordination and cooperation between relevant agencies is part of the mechanism. A Gender Crime Cell of National Police Bureau has been developed to gather and analyze data on VAW. The Balochistan provincial government has developed GBV guidelines that were notified in early 2018. However, there is not mention of that on the website of Women and Development Department of the province.

2.2.1.2. Establishment of new crisis centers for women - Family Protection and Rehabilitation Centre for Women (FPRCW) is serving to protect women victims of violence and discrimination that offers free medical and legal aid, psycho-social counseling and a shelter home at the Center. Likewise, to provide shelter and legal assistance to the victims of GBV, 26 'Women Crisis Centers' have been established across the country. PCSW-Punjab has set up a Transitional Home for Women (THW) within the premises of Darul-Falah and with the collaboration of Social Welfare and Baitulmal Department, Lahore. Dar-ul-Aman are already functioning in 36 districts and Women Crises Centers in 12 Districts. Along with psycho-social counseling, it will impart skills and vocational trainings and facilitate them in job placement. The Home includes the facility of education and medical services for the children of victim women. The Crisis Centers is facilitating in providing First Aid, lodging FIR, medical examination and post-trauma rehabilitation to the victims²³. The GoPj plans to set up 2 new VAW Centers at the Divisional HQs in 2018-19.

Unfortunately, many of these shelters, particularly in Sindh, KP and Balochistan, lack basic facilities and are short of the number of women seeking protection and refuge. At times, even the cases of abuse within these shelter homes are reported and women remain under pressure to return to their abusers. The investigation wing of Lahore Police has set-up a special wing to curb GBV and exclusively

deal with the cases involving women victims of GBV, particularly those subjected to rape. The Wing provides protection to victims of sexual violence and investigates such cases on scientific grounds and timely submits challans to ensure that the offenders are punished. There is a Women Crisis Center in Quetta but no new Crisis Centre has been set up in Balochistan.

2.2.1.3. Execution of men engage model to eliminate gender based violence - Based on research MoHR developed, 'men engage model programme for the elimination of gender-based violence'. In collaboration with an NGO, it has launched a joint initiative titled 'He Who Empowers Her' that highlights men's best practices for the promotion and protection for women's rights. NCSW launches White Ribbon Campaign, almost every year on '16 Days of Activism Campaign' against VAW with the theme 'No to Silence – No to Violence'²⁴.

2.2.1.4. Women empowerment package for federal and provincial governments - After some consultations, the MoHR has developed 'Women Empowerment Package', at the federal level but the package has yet not been launched. KP and Punjab's women empowerment packages are already operational. Balochistan and Sindh Governments are also in the process of developing their respective packages.

The GoP's Decent Work Program comprises on a 'strategy' and a 'plan of action' to promote the creation of decent work with gender equality as a cross-cutting aspect. The federal government reserved 10% quota for women in CSS. The GoS has raised women's jobs quota from 5% to 15% while the GoPj had raised that quota to 15% with a 3 years' age relaxation in 2013. All across the country about 20 'women police stations' have been established.

2.2.2. Outcome 2: Protection of Minority Rights

Passed in February 2017, the Criminal Laws (Amendment) Act 2016 was a positive initiative to strengthen the criminal justice system and curb sectarianism and persecution of minorities in the country. The law increased the punishment for the offence of 'deliberately using words to hurt the religious feelings of any person'. Prevention and proliferation of hate material is also part of it. The said law also discourages marriages of minor girls and women from minority communities. However, none of the laws, related to the protection and promotion of minorities, as mentioned in the legislative improvement section are being effectively implemented. Hate speech against the minorities is pervasive and given certain political circumstances in the recent past, anti-minorities speeches from religious corners are even increased. Though few and far between but some of the clerics have been held for delivering hate speeches against minorities. The Hindu Marriage Act-2017 is the landmark achievement that provides mechanism for the registration of Hindu marriages and is very much likely to reduce forced marriages through abduction and otherwise. The Christian Marriage & Divorce (Amendment) Bill, the Sikh and Parsi Marriage Bills are still under discussion.

2.2.2.1. Independent commission for minorities, interfaith harmony, curbing religious hatred & protection of the worship places of non-Muslim citizens - Though interfaith harmony policy draft is there and the respective bill is drafted but so far the treasury has not formally submitted a bill to set up the National Commission on Minorities (NCMR) as a statutory body²⁵. National and Provincial Task Forces have not been formed to promote interfaith harmony, which runs contrary to the promise

made in the NAPHR. The de-facto operational capacity of the Commission is extremely limited as the Commission lacks human and financial resources and depends on Religious Affairs Ministry.

Federal Task Force on interfaith harmony is yet to be formed. Comprising on members from all faith communities, the District Interfaith Harmony Committees are constituted in all the four provinces and ICT under the supervision of Home Department. There is, however, very limited information on how the committees operate in practice. District Peace Committees are just rudimentary. Similarly policy guidelines for the protection and promotion of minority rights are not devised. Peace and interfaith harmony communities are doing relatively better with the support of NGOs.

Special police for the protection of minority worship places has not been set up. GoPj, in-fact IG-Punjab, and other provinces, excused of having no resources for the purpose. However, special arrangements, to some extent, are made to protect minorities' worship places and field units are sensitized to provide security to their places of worship. Back in 2016, the Senate Committee on HRs had recommended CDA to construct a Hindu Temple and a Cremation Ground as over 150 families living in Islamabad have to go as far as Sindh to perform their burial rituals. But the suggestion has yet not been materialized²⁶.

Funds for minorities were and are provided for the construction of religious places and/or the religious ceremonies but without any assessment or evaluation and without setting up a proper mechanism for who to provide this assistance.

Though some MNAs, MPAs and even the former Prime Minister participated in some the religious festivals of the non-Muslim faiths but the political leadership was unable to handle the reaction from the religious right about symbolic gestures of interfaith harmony and solidarity expressed with their fellow citizens on Holi, Besakhi and Christmas. To foster religious harmony, HR&MA Department arranges ceremonies on the eves of Christmas and at certain occasions CM-Punjab also participated. Similarly the GoPj also makes special arrangements on Holi, Dewali & Besakhi festivals. Sindh province does declare public holidays on Holi and Diwali and off and on relevant ministers, particularly the minister for Religious Harmony & Minority Affairs do participate. On the other hand in Balochistan, it is quite rare that a minister participates in the religious ceremony of minority communities.

NAPHR also pledged to launch a comprehensive package for socio-economic support of non-Muslim communities which has not yet been announced. However, some efforts are heard of to provide financial support to members of minority communities. The Ministry of Religious Affairs published a special call for scholarship applications in 2016 & 2017 for minority students ranging from primary grades to the professional levels.²⁷ A Minority Welfare Fund has also been set-up to extend financial assistance to the poor and needy families coming from religious minorities coupled with merit-based scholarships for minority students. The 2% job quota for minorities could not be materialized. The maximum presence of minorities in Federal Services has been 2.7% and mostly in menial jobs. The provinces do not maintain segregated data as a source of information to effectively implement the provision.

The GoPj has allocated Rs.300 million for the Minority Development Fund.²⁸ The CM-Sindh, pledged 58% raise in the budget of Minority Affairs Department for 2017-2018²⁹. The GoS also launched the

'Shaheed Benazir Bhutto Scholarship for Minority Students' in May last year.³⁰ Contrarily the GoKP drastically reduced the budget for the Department of Auqaf and Minority Affairs allocated in the ADP of 2016-2017.³¹ In general, the federal government has allocated Rs.500 million to the Minority Development Fund in the ADP 2018-2019 which would primarily be used for the betterment and uplift of the religious minorities that includes 25 million for Educational Scholarships and Rs. 40 million for minorities' vulnerable groups say orphans, widows and PWDs.

2.2.2.2. Legislation against the provision of false information and public lynching - Following the recommendations of the 'Senate's Committee on Human Rights' the legislation has been done on preventing the misuse of the blasphemy law. The 'Criminal Laws (Amendment) Act 2016', has made amendments to PPC 1860, the Police Act 1861 and CrPC 1898 along with Qanoon-i-Shahadat 1984 and Anti-Terrorism Act 1997. There is a need for effective enforcement of Sections 194 & 211 of PPC to ensure that those who provide false information or falsely accuse someone of blasphemy are adequately punished.

According to the Act, punishments prescribed in section 182 are enhanced. 7 years punishment in case a false information is given where the accused may be punishable by death; 5 years imprisonment in case the accused may be punishable with imprisonment for life and/or one-fourth of the longest term of imprisonment or with fine as is provided for the offence. Regarding lynching, the bill states: 'whenever any individual, an organized group or a mob taking law in their own hands inflict punishment on a person accused or suspected of a crime by causing him a hurt or his death, every individual, a member of such group or mob is said to commit lynching'. Hence, whosoever commits lynching, shall be punished with an imprisonment for a term which may extend to 3 years or with fine or with both in addition to any other punishment to which he may be liable under any other law for the time being in force.

In the same Act, the punishment for the offence of 'deliberately using words to hurt the religious feelings of any person' has been increased from 1 year imprisonment and unspecified fine to imprisonment extendable to 3 years and no less than 1 year and/or fine of Rs.500,000. Also, the amendment prescribes the same punishment for inciting religious, sectarian or ethnic hatred by using loudspeaker, sound amplifier or any other device³². But effective enforcement of the law and equal treatment of the laws in this case is yet to be ensured.

2.2.3. Outcome 3: Protection of Child Rights

Key commitments with respect to child rights and their progress during the review period is as under:

2.2.3.1. Review of existing legislation, review of JJSO, and development of new laws related to child rights - National Commission on the Rights of the Child (NCRC) - 2017 is passed. However, the Commission has yet not been established as it is yet to be notified and the adequate financial provision is still awaited. The Child Marriage Restraint (Amendment of 1929) Act 2017 meant to increase the minimum marriageable age for girls from 16 to 18 has been approved by the National Assembly.

The National Children Committee (NCC) is working under the umbrella of Federal Ombudsman of Pakistan that appointed children commissioners in all the 4 provinces and ICT to provide them enabling environment for their development. The Commissioners can take suo-moto action on the

state of children. However the said Committees and the Child Commissioners both are not sufficiently effective. The Criminal Law (Second Amendment) Act 2016 criminalizes child pornography, exposing them to sexually explicit material, cruelty to children and trafficking³³.

The Juvenile Justice System (JJSO) Act 2017 is an effort to bring JJSO in conformity with the international standards. It prescribes to dispose of the cases through diversion and reintegration of the child offenders. The Criminal Law (2nd Amendment) Act (2016) increased the minimum age of criminal responsibility from 7 to 10 years while ICT Child Protection Bill (2016) protects children in Islamabad from all forms of physical or mental abuses. PPC 1860's Section 373-A has been amended and it deals with trafficking in children for employment in dangerous and hazardous occupations. Child Protection & Welfare Bureau rescued the destitute and neglected children through Rescue Operations and, Helpline 1121 and Open Reception Centers (ORC) across Punjab in 2017– 2018. The Prevention and Control of Human Trafficking Ordinance (2002) & Human Smuggling Ordinance (2002) are currently being reviewed by the Parliament. The Trafficking in Persons Bill (2016) and the Smuggling of Migrants Bill (2016) have been tabled in the Senate as private member's bills. The former has been enacted in May 2018. However none of these is being effectively enforced.

The Punjab Restriction on Employment of Children Act, 2016 also restricts the exploitation of children for immoral activities like prostitution and other pornographic performances etc. Under Section 14(3) of the Punjab Restriction on Employment of Children Act, 2016 states, *'if a person employs any child or an adolescent for the purposes of slavery, trafficking etc or similar activities, he shall be punished with fine that may extend to 1 million rupees but not less than Rs.200,000 or imprisonment which may extend to 5 years or with both'*. The Lahore High Court has notified Child Protection Courts in all districts of Punjab for the provision of speedy justice. The Punjab Prohibition of Child Labor at Brick Kilns Act (2016) prohibits and penalizes child labour in the brick-kiln sector. However, effective enforcement of the said amendment is yet to be ensured.

The KP Prohibition of Employment of Children Act (2015) and the Sindh Prohibition of Employment of Children Act (2017) ban child labour below the age of 14. Similarly, trafficking, prostitution and smuggling of the children are prohibited by a similar law in Sindh too. The Sindh Assembly passed the Sindh Street Children Shelter Home Bill, 2018, to protect the rights of street children. As planned, the shelter homes would be established in all the divisions of Sindh³⁴. The Sindh Prohibition of Corporal Punishment Act, 2017, unanimously passed by the Sindh Assembly, is an important law that protects children from corporal punishment at public and private spaces including educational institutions, madrassas, workplaces, rehabilitation centers and formal or non-formal institutions. The KP also approved a draft bill making corporal punishment illegal in public and private schools and other relevant places in April 2018³⁵. The Balochistan Child Protection Bill has been enacted by the Provincial Assembly of Balochistan in November 2016. Despite legislation in all the 4 provinces, a significant number of these children are engaged in child labour in Punjab, Khyber Pakhtunkhwa, and Sindh, revealing that child protection laws are not being effectively enforced.

2.2.3.2. Free education of children ages 5-16 - Pakistan's federal as well as provincial governments have enacted laws to ensure free and compulsory education in accordance with Article 25-A of the Constitution of Pakistan. Despite that, reportedly, about 24 million children are out of school all over the country and about 1.5 million are identified as unaccompanied street children ranging between 5-

16 years of age. Most of them are exposed to multiple forms of abuses and exploitations including the enslavement and sexual ones. Serious and extensive efforts are necessary to ensure the effective implementation of Article 25-A to bring maximum number of children in educational fold.³⁶

2.2.4. Outcome 4: Rights of Persons with Disabilities:

The National Council for Rights of Persons with Disabilities (NC-RPWD) has been constituted with a view to monitor the implementation of the International Convention on the Rights of Persons with Disabilities entering into force in 2007. Before launching of the Action Plan, a bill to amend Disabled Persons (Employment and Rehabilitation) Ordinance 1981 was tabled in the National Assembly in 2015 that sought to introduce a system to promote the welfare of persons with disabilities in every sphere of life at the District, Tehsil and Union Level. At the national level, the Disabled Persons (Employment and Rehabilitation) Amendment Act was approved in 2015.

The Balochistan and Sindh PWDs Act, 2017 intend to facilitate PWDs. Provincial Special Education Departments are functioning there. However, effective and pro-active implementation of the provisions entailed in the law is missing. The Sindh Differently-Abled Persons (Employment, Rehabilitation and Welfare) Act 2014 was unanimously passed in 2015 and was later amended in 2017. Khyber Pakhtunkhwa Social Welfare Department has also taken steps to draft similar legislation, which is currently with the provincial Law Department for review. The Social Welfare and Human Rights Department Balochistan claims that it has collected data about the number and categories of PWDs and is in the process of compiling it before making it public.

The GoPj has not only increased quota from 2 to 3% but also launched the 'Punjab Khidmat Card' to provide them interest free loans, technical training and rehabilitation facilities. There is a process to develop "Disabled Persons Management Information System" to ensure ready availability of information about the PWDs in the province. Online registration for assessment certificate, development of database of PWDs, job database, database of related NGOs, District Rehabilitation and Training Committees (DRTC) funds generation and distribution software and development of website for PCRDP. The Lahore High Court, in a landmark judgment of January 2017 struck down the discriminatory provision of Civil Services Rule and allowed PWDs to join all services on equal basis.

PIA and Railways have given 50% discount on fare for Persons with disabilities and 25% for their attendants too. As an affirmative measure, 2% job and academic admission quota has been reserved for the PWDs. Only a paltry of public buildings in Islamabad and all the districts of all the 4 provinces are accessible. Under this Act, there are two set ups working for the development of disabled persons. In some of the districts in Pakistan, District Assessment Boards and DRTCs are operating. However, relevant public authorities have been requested to import duty free disabled-friendly vehicles on 50% concession. Though there are some obstacles but NADRA has been issuing special CNICs to the PWDs. Precisely the process of acknowledging the rights of and extending facilities to the PWDs is slow and but continued which deserves appreciation.

2.2.5. Outcome 5: Jail Reforms

With respect to the prisoners' facilitation, rehabilitation and the provision of social, medical and other facilities as committed in the Action Plan here is a precise assessment of the situation:

2.2.5.1. Jail inmates' rehabilitation programme and provision of missing infrastructure to jail staff -

The NAPHR desired the constitution of a Joint Committee of federal and provincial governments to provide recommendations for jail reforms that is yet not realized. Reportedly, a comprehensive 'Jail Inmates Rehabilitation Programme' has been launched to introduce skills development, provide medical and psychological care, and extend legal counselling as well as sport and recreational facilities to the prisoners. But the said programme is still in its infancy and recommendations have been made to engage independent experts from all the four provinces. The NCHR has developed a plan to visit all the jails across Pakistan and put up its recommendations to MoHR. The MoHR itself is in the process of reviewing prison conditions and has conducted several monitoring visits to multiple jails in the country.³⁷ It will formulate recommendations for administrative improvements in the federal and provincial areas. The Chief Justice, Justice Commission, Federal Ombudsman and Senate Functional Committees also visit prisons and provide recommendations. Recently, the HRs Minister expressed the present government's will to provide possible assistance to Pakistani prisoners languishing in foreign jails.

Women and young prisoners in jail face a range of socio-economic problems besides emotional-psychological stress. Most under trial women are accompanied by their minor children. The basic health, education and recreation facilities are not available to them. Simultaneously, the families of also suffer in every aspect in this connection.

According to the SW&HR Department, Balochistan, the implementation of prison reform programme, was commenced by the 'Home and Tribal Affairs Department' in August 2018. Skill development of the inmates of 12 prisons was requested by the Prison Department to the MoI. Also, a similar request was made to provide medical equipment, physiotherapists, a properly-equipped hospital facilities and the provision of doctors to the MoI. District Legal Empowerment Committees were already formed.

As reported by the HRD-Punjab, the government launched a prison reform programme focusing on 15 prisons. Provision of missing facilities was going on in 5 jails. Water filtration plants were installed in 34 jails. 10 new jails were completed and functional whereas 2 new jails will be operational within 2018-2019. Construction of new barracks and cells to reduce overcrowding was also going on in different jails. Construction of Single Warder Line and Residences for Warders is underway at 22 jails

Women only watch and ward staff are deployed to manage affairs of female prisoners. A 10-bedded hospital is functional at Women Jail Multan under the supervision of a full-time female medical officer and allied para-medical staff. Women prisoners confined in Women Jail, Multan, are being imparted vocational training by the Punjab Vocational Training Council and some non-government organizations. Recreational and outdoor gaming facilities for children accompanying women-prisoners are also made available.

No comprehensive jail reform programme is in process in the Sindh Province. The GoS claims of establishing Human Rights Cells under Police in all the Zonal Head Quarters of the Province. In Sindh, some public sector institutions and NGOs are working for the jail reforms. In the police Training Department, certain lessons related to Human Rights have been incorporated. PCSW Sindh and some NGOs have extended human rights trainings to police officials.

2.3. THEMATIC AREA – III: CROSS CUTTING INTERVENTIONS FOR THE PROMOTION & PROTECTION OF HUMAN RIGHTS

The third thematic area comprises three outcomes ie: Human Rights Education and Sensitization; Rights-Based Approach to Development Planning; and Media, Awareness Raising and Advocacy.

Thematic Area III: Implementation Status			
(Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)			
PC-I to Implementation Action Plan on Human Rights	✓	Inclusion of 'human rights in higher education' at the National and Provincial Levels	---
Adequate budgetary and resource allocation for promotion and protection of human rights and gender initiatives	✓	Inclusion of 'human rights education and professional training'	---
District Human Rights Committees (Formulated/Approved)	✓	Public campaign for human rights awareness	---
Inclusion of 'human rights in the curriculum' in Punjab	✓	Inclusion of 'human rights in the curriculum' in KPK	IR
Inclusion of 'human rights in the curriculum' in Sindh	✓	Media awareness campaign on child rights	IR
Media awareness campaign on women rights	---	Rights based development planning	✗
Inclusion of 'human rights in the curriculum' in Balochistan	---	Development of media policy for the promotion and protection of human rights	✗

Implemented  On-going  Little or No Progress  No Progress 

2.3.1. Outcome 1: Human Rights Education and Sensitization

2.3.1.1. Inclusion of human rights and peace education in the curriculum of higher education, law and social sciences - MoHR itself initiated a series of human rights awareness sessions in universities and public departments across Pakistan. It held about 36 seminars between December 2016 and June 2017. National Curriculum Council is reviewing the curriculum. Themes such as human rights, civic responsibilities, interfaith harmony, environmental care and democracy are gradually but slowly being incorporated in the curriculum at multiple levels. However, the tacit disliking for other faiths is still there as it is multilayered and pervasive. Curriculum in Punjab is being revised systematically and human rights education is part of it at the primary, secondary and higher secondary school levels with particular focus on interfaith harmony and dialogue. The Punjab Textbook Board has introduced 'gender equality and women's rights' in its secondary school curriculum. The Curriculum of Higher Education in Punjab includes material on human rights and peace. Higher Education Department has incorporated a culture of religious and social tolerance to promote peace and harmony in the country. The subjects of Psychology, Islamiyat, Pakistan Studies, English, Urdu and Political Science contains the topics on peace and tolerance.

Highlighting human rights, as mentioned in the Constitution of Pakistan, Sindh Textbook Board has incorporated certain essays and lessons in the new textbooks from primary to secondary level. These subjects are included in general knowledge textbook of Grade-II&III, and in the social studies textbook of Grade-IV&V³⁸. Certain additions in the textbooks of Grade-VIII to Intermediate are also done. While devising future education policies, the GoS further commits to highlight human rights as contained in the UN Charter and other HRs Conventions³⁹. Recently, the Sindh government has decided to re-focus

school curricula to update its Social Sciences, Sciences, English, Urdu, Sindhi and Social Studies textbooks at primary and secondary levels. It is further in the process of planning to include awareness about physical abuse, self-esteem, body autonomy, girls' education and gender equality etc at multiple levels of curricula⁴⁰.

According to the GoB, the inclusion of 'human rights subject' in the curriculum is in process with the 'Bureau of Curriculum,' that will, hopefully be accomplished, by anytime in 2019. No progress around the said commitment is reported on part of respective departments in KP. In Islamabad, the progress with respect to incorporating human rights education into primary and secondary school curricula at the federal level is less clear as the required information is not available. Summating, the overall impact is yet to be seen.

2.3.1.2. Inclusion of human rights education in public sector national training and capacity building institutes - By and large, updated information with respect to the incorporation and delivery of human rights sensitive curriculum and training at the professional level is not available. Nevertheless, the KP Government's Human Rights Policy 2018 emphasizes on the inclusion of human rights components in the police force's training. Adopting a legislation to address the inhumane behaviour meted out to the suspects in custody and safeguarding the rights of children, women, the elderly and transgender persons is also part of the suggestion⁴¹.

2.3.2. Outcome 2: Rights Based Approach to Development Planning

2.3.2.1. Institutionalize rights based development planning at the federal and provincial level, adequate budgetary allocation and Implementing Action Plan - Reportedly, under the Public Sector Development Programme (PSDP), the present government has allocated Rs.300 million for on-going and new plans of the MoHR. The amount has been allocated for 6 on-going and new plans of Human Rights Division for the fiscal year 2018-2019. The allocation includes Rs.198 million for 3 new schemes including Rs.91 million for acquisition of the construction of the proposed building for NHRI in Islamabad and Rs.60 million for construction of Working Women Hostel in Islamabad. About Rs.47 million was reserved for Institutional strengthening of Regional Directorates of Human Rights and close to Rs.43 million has been allocated for the institutional solidification of the MoHR⁴².

District Human Rights Committees have been set up by the MoHR in consultation with provincial governments to ensure institutionalization of social, economic and cultural rights of people as part of the development agenda.⁴³ Required resources have been allocated for promotion and protection of human rights, and gender-equality by the increase in PSDP from Rs.170 million to Rs.306 million in the year 2017-2018.

With respect to the implementation of the 'Action Plan,' PC-I for establishing 'Implementation Cell' to facilitate and look after the progress and activities has been approved in November 2017 with the budget of Rs.57 million⁴⁴.

Information about the resource allocation in Sindh, mainly from the rights-based perspectives, is not available. Usually the parent organization's budget like Social Welfare Department, Women

Development Department, Law Department and Human Rights Department maintain their share in PSDP which is further disseminated to the respective Commissions and other independent bodies.

The data on indicators pertaining to education, health and social security is regularly collected and maintained in the Gender Management Information System (GMIS) constituted by the PCSW, Punjab. The system's findings are also published annually in the Punjab Gender Parity Report. GMIS related information is yet not being collected in other provinces.

2.3.3. Outcome 3: Media, Awareness Raising and Advocacy

2.3.3.1. Public campaign for human rights awareness including women, children and minority rights and behavioural change - The MoHR initiated Public Awareness Campaign on Human Rights Education and Sensitization through seminars and media campaigns. In this regard, the following activities were undertaken: 60 Seminars in various universities during 2015–16 and 2016–2017; 12 capacity-building workshops for prosecutors and court officials on rights of women; 3-Days Public Awareness Campaign about HRs on Pakistan Radio Network, Ptv and Atv; 6 Day Public Awareness Campaign on print media; IEC material on HRs was developed as part of Public Awareness Program. Universal Children Day, International HRs Day and International Women's Day are also celebrated as annual features⁴⁵. Earlier in 2016, The MoHR launched a television documentary on fundamental rights of people and 3 public service message to create awareness among masses on international human rights.

Also, the ministry launched a campaign about the provision of free legal aid to ensure women's right to inheritance. The drive made women aware of their inheritance rights and informed them about the facility in case they face any difficulty in this regard, the campaign informed them about the Helpline - 1099 too. Early this year, the MoHR has launched 4 Booklets entitled as 'Action Plan for Human Rights,' Human Rights Legislation in Pakistan', 'Human Rights institutions in Pakistan' and 'Punishments for Human Rights Violations in Pakistan' that explain everything in relation to HRs corresponding their subject titles.

According to the PCSW (Punjab) a 'Female Voter Mobilization Campaign' was run before General Elections - 2018 to aware women of their political and voting rights. Around 36 interactive sessions were held in 21 districts; 46 events were conducted as a part of '16 days of Activism' in all divisions of the province. The 'Harassment of Women at Workplace Volunteer Programme' involved mass awareness campaign for women at workplace in both public and private sectors. Men were informed that women are well protected by the harassment against women law. In Sindh, SHRC and PCSW collaborated with various NGOs to promote HRs in the province. The Commission developed IEC material and also organized advocacy events and seminars in collaboration with NGOs.

Sensitizing LHWs on human rights issues has not yet been started off. So far, the focus remained on integrating the issues of health equity and human rights in the existing academic curriculum of health care professionals and Child Health Workers.⁴⁶ A consultative workshop in this regard was organized by WHO in collaboration with the 'Ministry of National Health Services' earlier in May 2016. The present status of the curriculum development is not known.

2.4. THEMATIC AREA – IV: INTERNATIONAL TREATY IMPLEMENTATION

2.4.1. Outcome 1: International Treaty Implementation

This thematic area includes one outcome and that is, ‘strengthening and effective implementation of international treaty obligations’. The capacity building process of the officials belonging to the multiple government ministries, departments and the TICs began in July 2016 and continues to date.

Thematic Area IV: International Treaty Implementation (Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)			
Research study to identifying gaps in the legal framework	✓	TICs strengthening in the provinces	---
TICs formation and strengthening - Federal	✓	Capacity building of officials from relevant government ministries, departments and the TICs	---
TICs formed in the 4 Provinces	✓	Gender Management Information System (GMIS) in KPK, Sindh and Balochistan	IR
Gender Management Information System (GMIS) in Punjab	---		

Implemented ✓ On-going --- Little or No Progress IR

2.4.1.1. Strengthening and effective functioning of Treaty Implementation Cells (TICs) - In response to GSP+ facility, the GoP Pakistan has formed TICs in all the 4 provinces along with the same in Gilgit Baltistan, AJK and ICT in 2016. Technically, the TICs serve as a mechanism to improve human rights situation in the country by supervising the implementation of 27 Core UN Conventions with the 7 Conventions that Pakistan has signed and ratified. A Module for capacity building of the officials of the Federal and Provincial Governments about international human rights conventions has been prepared and so far 4 training workshops have also been organized⁴⁷. With some gaps and lapses, GoP does submit its treaty body reports, though a bit irregularly, but all the reports largely highlight its plans cum legislative and institutional measures, clearly avoiding the deplorable state if implementation on ground. Controversial issues such as the tragedy of missing persons, media freedom, violation of child rights and child abuse, harassment and mistreatment of women, inequality and exclusion of minorities, transgenders’ humiliation, constraining the rights and freedoms of human rights defenders and civil society activists are clearly avoided where Pakistan performs quite poorly.

The GoP established a TIC in Law & Parliamentary Affairs Department in the form of a committee having ex-officio members. A specialized structure for ‘treaty implementation’, has been installed in the HR&MA Department⁴⁸. Early this year UNDP facilitated GoS to set up its TIC. The TIC Sindh, Khyber Pakhtunkhwa & Punjab meet intermittently, though mandated to meet periodically, to some extent supervise and seek reports from the concerned government departments and devises future course of action. However the exercise remains weaker and less stringent.

2.4.1.2. Capacity Building of the officials of relevant ministries/divisions/departments - The MoHR has developed training manuals on 7 core HRs Conventions for capacity building of the officials of relevant departments particularly for the staff of the Treaty Implementation Cells⁴⁹. Human rights education has been introduced in the training institutions of law enforcement agencies and judiciary, and is being gradually introduced in other professional institutions. In the first phase, MoHR organized

4 trainings sequentially in Punjab, Balochistan, KP and Sindh and successfully trained about 150 and 200 Master Trainers. In addition, two orientation sessions on "Understanding International Human Rights Obligations" were organized in Karachi and Peshawar in December 2016.

Mandated to improve human rights response (particularly women rights) in the government line departments in Punjab, PCSW faces multiple hurdles including the lack of cooperation by respective line departments, lack of the provision of the requested resources and the absence of district or divisional officers which hinders its efforts across Punjab. Similar attitudes also delay in extending redressals to women whose rights are infringed.

Sindh Government has just signed and MoU with UNDP to provide technical and other assistance to support its Human Rights Department in formulating of a provincial human rights policy and, building and strengthening TICs to monitor and supervise human rights situation in the province. UNDP will also develop a capacity building programme for the provincial line departments and their respective staff⁵⁰.

2.5. THEMATIC AREA – V: INSTITUTIONAL INTERVENTIONS

The fifth thematic area has one outcome comprising ‘establishment and effective functioning of national human rights institutions (NHRIs)’.

2.5.1. Outcome 1: Establishment and Effective Functioning of National Human Rights Institutions (NHRIs):

Thematic Area V: Institutional Interventions <small>(Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)</small>		
Ministry of Human Rights a full-fledged Ministry with appropriate budget allocation	✓	National Commission for Minorities Rights Bill 2015 ---
National Commission on Human Rights (NCHR)	✓	National Human Rights Institute (NHRI) ✗
National Commission on the Rights of Children Act 2017	✓	
Sindh Commissions on Human Rights	✓	

Implemented ✓ On-going --- No Progress ✗

2.5.1.1. Establishment and functioning of NCHR and other mandatory commissions - Consisting of 9 members, including a chairperson, the Commission holds broad mandate and the powers to take suo-moto action on cases of human rights violation. The Ministry of Human Rights has also notified the NCHR Complaint Rules, 2015 that comprehensively elaborate the procedure regarding evaluation and disposition of complaints of HRs Violations. In accordance with the Paris Principles, the Commission (NCHR) has been established and has been made, at least partially, independent. Regional Offices of NCHR have also been established and functioning in the provincial headquarters of all the 4 provinces with its members from the 4 federating units, ICT and one member from minorities.

The GoP approved an additional grant of Rs.100 million for the establishment of NCHR Fund. Moreover, about 171 vacancies have been created with multiple roles to contribute in promoting

human rights. Along with that NCHR Complaint Rules (2015) have been notified that explain procedure regarding assessment and disposal of the complaints.

Since 2015 to date, the Commission has handled 274 cases of women related issues. In the year 2018, it has identified more than 1400 cases of custodial torture and summoned 13 policemen including 3 SHOs. The Commission has produced multiple investigative reports of human/women rights and child rights violations along with offering recommendations to the relevant departments. Simultaneously, the Commission is trying to become A-Class accredited member of the Global Alliance of NHRIs that mainly depends on a particular Commission's performance as per Paris Principles.

Government of Sindh, for instance, has set up the Sindh Human Rights Commission (SHRC). However, since its establishment in 2015, there remain serious concerns about the commission's operation as an independent and effective human rights watchdog in compliance with the Paris Principles. The Commission falls short of international standard of the functioning of all NHRs⁵¹.

NCSW was established in 2000. Despite limited annual budget, it has actively been struggling to eradicate violence against women by taking institutional, and particularly proposing legislative measures, to protect and promote women's rights in every sphere of life. The Commission is making reasonable contribution in social, economic, political and legal empowerment of women. Moreover, the Sindh Commission on the Status of Women (SCSW) was formally set up and inaugurated in November 2017. Khyber Pakhtunkhwa Commission on the Status of Women was legislated in October 2016. Legislation for the establishment of Balochistan Commission on the Status of Women was passed in September 2017. Presently, out of all the 4 provincial chapters, PCSW-Punjab, however, is relatively stronger and fares more efficiently and effectively than other provincial commissions.

The National Commission for Minorities Bill (2015) was moved in April 2015 as private members bill. It was discussed by the sub-committee of the National Assemblies Standing Committee on Religious Affairs but not approved⁵². A rudimentary non-statutory and non-functional National Commission for Minorities Rights (NCOMR) is sometimes told to exist since 1990 but there is no such thing on ground. The Act is currently under review in the Standing Committee on Religious Affairs and Inter-Faith Harmony.⁵³ If and when the law is passed, clarity will be needed on the role of the existing NCOMR and its relationship to the new commission.

Nevertheless, so far, neither its legal status nor rules of business are framed by the federal government. Reportedly, a law is being formulated by the Ministry of Religious Affairs and it will soon be presented in NA for approval. It is also said that the name of the Commission has been proposed to be changed to the National Commission on Interfaith Harmony (NCIH) because post 18th amendment, the subject of minorities is devolved to the provinces⁵⁴.

In a political statement, the minister for HRs expressed the commitment of her government to protect the rights of the children and her plan to notify a National Commission on the Rights of the Child within 2018⁵⁵. Despite terrible instances of child abuse, the National Commission for Protection of Child Rights (NCPCHR) is yet to be notified by the government. Erstwhile, the National Institute of Human Rights was in the process of being established at federal level. The former Government had earmarked amount of Rs.150 million. PC-1 of the project was underway and MoHR had initiated consultations on

the mandate of Institute and was planning to acquire land for its physical set-up. But with the new government in power, the possibility of constituting National Institute of Human Rights (NIHR) seems doubtful as the MoHR plans to review the project for its feasibility. Key objectives of NHI were to conduct research and build human rights capacity of the relevant federal and provincial public sector departments. It is argued that NHRI is going to duplicate the functions of NCHR and NCSW. In the beginning of the fiscal year continued, about Rs.27 million were allocated for the establishment of the institution that now seem to be reverted⁵⁶.

2.6. THEMATIC AREA – VI: IMPLEMENTATION AND MONITORING MECHANISM

Thematic area six has three outcomes comprising: Prevention of human rights violations and redressal mechanisms; Financial support to victims of human rights violations and Implementation and monitoring of Action Plan.

Thematic Area VI: Implementation And Monitoring Mechanism (Sources-Multiple: MoHR, Relevant Provincial Human Rights Department, Print Media)			
National Task Force for Implementation of Action Plan	✓	Human Rights Management Information System (HRMIS)	---
Provincial Taskforces on Human Rights	✓	Human Rights Relief and Revolving Fund	---
Helpline for legal advice & redressal to victims of human rights violations	✓	Diyat, Arsh and Daman Fund	---
Implemented ✓		On-going ---	

2.6.1. Outcome 1: Prevention of human rights violations and redressal mechanisms

2.6.1.1. Establishment of helpline for legal advice and redressal to the victim of human rights violence - 1099, the Helpline to seek legal advice on human rights violations, has been set up and is functioning under the MoHR. More than 87,000 Calls have been received by the MoHR during the last year. Taking prompt action, free legal aid was provided to 1937 complainants, while calls were also transferred to other relevant departments as adequate referral of about 3744 calls. He further informed that 139 cases were examined and referred to the other institutions while 206 persons registered their complaints through personal visits and emails.

Initially MoHR expected to receive 4000-5000 calls through the Helpline approximately per year. While currently, the Helpline is receiving more than 4000 calls a month. In short, the Helpline is serving its purpose of extending grievance-redressal mechanism through referral services to the victims of human rights violations⁵⁷. In the last 4 months, as claimed by the new government functioning since August 2018, the ratio of calls increased from 4000 per month to 15,500 per month. Shelter has been provided to over 50 women at women shelter center. Over 3000 cases have been referred to the concerned departments for redressal. MoHR has initiated the process to appoint senior and junior lawyers as staff for the helpline. In Sindh, as reported by SHRC, the Helplines like Roshni and Madagar are working to redress HRs violations. Along with that, NGOs and civil society organizations are there to assist the victims of human rights violations.

2.6.1.2. Establishment of MIS to monitor and evaluate emerging patterns of human rights - The MoHR is proceeding towards the creation of a Human Rights Management Information System (HRMIS), with the support of The Asia Foundation. The HR-MIS is a national level database of human rights violations. It will serve as an institutional mechanism to provide disaggregated data and analysis to facilitate in monitoring and evaluation of emerging human rights patterns and trends across Pakistan. The process of creating the HRMIS began in 2015 but still remains according to sources, remains at an incipient stage of development. The comparative and disaggregated annual statistics by gender, age, faith, region, ethnicity and disability will help assessing the country's progressive realization of the civil, political, economic, social and cultural rights of the citizens. The effort can also feed into realistic GSP+ and treaty body reporting obligations⁵⁸.

Derived from the Action Plan, the MIS is based on human rights including the right to life and liberty, child rights, women rights, religious freedom and minorities' rights and governance issues, rights of vulnerable groups and the rights of PWDs. These are the main categories that are further divided in 111 sub-categories of human rights violations.

2.6.2. Outcome 2: Financial support to victims of human rights violations

2.6.2.1. Effective operationalization of human rights relief and revolving fund including women in distress fund and arsh, diyat and damn fund - As desired by the NAPHR, the MsoHR has operationalized the Human Rights Relief and Revolving Fund to provide legal and financial assistance to the victims of human rights violations.⁵⁹ In the last 3-4 years, about Rs.5.8 million have been disbursed among 459 victims of human rights violations. Applications are received directly from the victims, NGOs and through Regional Directorates of Human Rights. Fund can be sought by the victims or the relatives of the victims of violations of rape, kidnapping, police encounters and brutalities, unnecessary imprisonment of women, extra-judicial killing and tortures.

To ensure successful operationalization of the Diyat, Arsh and Daman Fund the process is underway. The said funds are meant to provide financial assistance to prisoners who are unable to pay compensation to the victims' legal heirs. However, no updated information is available on the financial assistance dispensed through this fund. In fact, the Supreme Court has directed that the Federal Government may create a fund and evolve a mechanism for the payment of Diyat, Arsh and Daman. The Federal Government placed this fund under the administrative control of Ministry of Law, Justice and Human Rights. The "Diyat, Arsh and Damn Fund" is being maintained by the National Bank of Pakistan. DG Human Rights and Director Human Rights are authorized as co-signatories for the said account. Last year (2016-17) an amount of 1 Million was allocated in this fund⁶⁰.

The Women in Detention and Distress Fund has not yet been operationalized as required by the Action Plan. It has yet not been enacted by the Parliamentary. Another fund, known as the Endowment Fund for Free Legal Aid to the Poor Victims, is underway to be operationalized. Its rules have been notified and a budget of Rs.100 million has been allocated. Reportedly, no financial assistance has been given to any beneficiaries through this fund⁶¹.

2.6.3. Outcome 3: Implementation and monitoring of Action Plan

In general, the implementation of the Action Plan is underway and as is apparent from the evidence voluminously extended here. Its progress is better in certain areas while quite poor in some other areas. Effective spending of the budget allocated for the implementation of the Action Plan itself fluctuates. Reportedly about Rs.170 million was allocated to the Ministry in March 2016 but it could only spend Rs.80 million.⁶² Much of that fund was consumed in holding seminars, conferences and consultations.⁶³ A further challenge, highlighted by the Minister for HRs, is the lack of cooperation between officials of the MoHR.⁶⁴ With the commencement of new government, it is now heard that the remaining fund of out of the amount allocated by the last government has lapsed.

It is imperative for an efficient implementation of the Action Plan, that the MoHR will should redouble its efforts to ensure its internal coordination and ensure efficient utilization of the funds at its disposal. Simultaneously, the MoHR should produce regular implementation and progress reports so that stakeholders and the citizens in general are aware of the Action Plan's progress and its outcomes. Ultimately, success in implementing the Action Plan will depend on the MoHR's efforts and proactive initiatives as well as by fostering confidence and support of the partners across society and across all the relevant ministries and departments at large.

2.6.3.1. Establishment of national and provincial task forces - The MOHR has constituted the Federal Task Force in ICT as well as the Provincial Task Forces on Human Rights in Balochistan, Punjab, KP and Sindh. The said Task Forces respectively hold representation from the national and the provincial parliaments, relevant federal and provincial departments and other stakeholders. The aim of the Task Forces is to improving HRs situation in ICT and in the provinces. The Task Forces are mandated to review, monitor and asses the initiatives assumed and ensure effective functioning of the respective departments to promotion and protection of human rights in their jurisdictions. Devised with the assistance of an NGO, the Provincial Strategies are there and, if adopted, their implementation is also part of their role. If and when required, they are also supposed to review legal framework for amending or bringing new legislations in line with the Constitution of Pakistan and our national and international HRs commitments as signed and ratified by the State of Pakistan. Subsequently, the formation of District HRs Committees is also under discussion that will monitor HRs situation at the grassroots level and will educate and raise awareness and sensitization of HRs issues. Promotion of tolerance and interfaith harmony and behavioral transformation will be part of their role⁶⁵.

According to the HR&MA Department, Punjab, here are the key responsibilities of the Provincial Task Forces with respect to the implementation of the Action Plan⁶⁶:

- *To ensure implementation of the Action Plan for Human Rights at the provincial level;*
- *To review the progress of provincial departments on quarterly basis;*
- *To recommend capacity building initiatives for provincial departments;*
- *Can seek data from any provincial department in order to assess HRs situation in the province;*

CHAPTER 3

HOW TO IMPLEMENT NATIONAL ACTION PLAN EFFECTIVELY

OVERALL RECOMMENDATIONS

Although it is quite encouraging act on part of the Government of Pakistan to come up with the National Action Plan on Human Rights but there are miles to go for its effective implementation and improvement of human rights situation on ground. Also, the performance indicators are entirely missing from the Plan, creating palpable challenges for monitoring and evaluation during implementation. While the plan includes timeframes for its targets and actions, these are broadly defined and only establish timelines for initiation, not for interim benchmarks or achievements. Moreover, it does not aptly specify the state actors and agencies responsible for proposed targets and actions. Whereas some targets refer to responsible actors, this is not done systematically throughout the Plan. In practice, omitting this information intensifies the likelihood of confusion between responsible agencies and leads to practical complications.

The MoHR needs to revisit Action Plan and come up with the breakdown of clear timeframe and indicators with responsible individuals and/or authorities to help effectively monitor and assess the implementation process. Likewise, the Action Plan should be revisited and rearticulated with further details and specific targets, particularly to articulate key civil and political rights that are conspicuously missing. Under each action point, vital activities need to be set out, with time-bound indicators. The insertion will compel responsible authorities to materialize the action. Respective provincial and federal departments and agencies, responsible for proposed activities under the action points, also need to be specified to make them responsible. Pakistan's international commitments and recommendations from UPR and other Treaty Bodies be considered as part of the future action plans. The parliamentary institutions, civil society and media need to be involved in the development and further improvement of such plans. Here are some broader suggestions with respect to the effective implementation of the Plan.

 **Coordination, communication and reporting:** The MoHR should come up with the bi-annual and annual progress reports on the implementation status of the Action Plan. Such report may include processes, successes, weaknesses and future course of action at the national and provincial levels. The reports will enable all stakeholders to be aware of the implementation and also help identify areas where they can support the Government in implementing the Action Plan.

A robust communication mechanism is needed to be put in place so that all tiers of Government and its affiliates coordinate and complement each other's work. Under the Action Plan, and while proceeding towards it, there are number of entities including taskforces, committees, commissions and directorates at the national, provincial and that contribute in the promotion and protection of various aspects of human rights. The Provincial Taskforces on Human Rights can serve as the central coordination body to which all

committees and cells working on human rights report their progress. The Provincial Taskforce meetings need to provide a platform where all efforts are shared and strategies devised for collaboration between departments, directorates, committees and other agencies. Similarly, the Federal Taskforce can serve as the central coordinating body at the federal level.

- ✚ **Women and children rights focus:** Women and children's rights commitments need to be broadened and strengthened. Timeline and action points to ensure their rights and facilities be clearly marked. Important aspects, say women's socio-economic empowerment, their political participation, women's reproductive health rights and mainly protecting them from domestic violence, workplace harassment and from other abuses need to be specifically made part of the Action Plan. The Action Plan should also include the commitments related to women's rights in the Open Government Partnership National Action Plan and Women's Participation in Election process. Concerted efforts need to be made to ensure children's right to education, right to health and their right to adequate environment for their better growth and development. Freeing and emancipating street-connected children, bonded-labour children and working children for their better social, physical, intellectual and economic advancement.

- ✚ **Businesses respecting human rights:** The Action Plan does not address business's violations, industrial abuses and human rights issues. Industries and corporates do exert significant influence and affect human rights of millions of Pakistanis at home and in the workplace and the environment they operate in. Therefore, the Action Plan must include business and human rights requirements in accordance with the United Nations Guiding Principles on Business and Human Rights.⁶⁷ The Plan needs to incorporate human rights responsibilities of industries and business corporations as prescribed by the UN Global Compact and guiding principles on Business and Human Rights.

- ✚ **Engaging civil society:** NGOs, Media and Civil Society Organizations should integrate multiple components and activities of the Action Plan in their own strategic plans and projects. They should identify and pick certain areas where they can coordinate with the MoHR and provincial Human Rights Departments in executing human rights activities related to the Action Plan. It will help stakeholders in effectively contributing in the implementation of the Action Plan. The civil society organizations should also coordinate for the activities relevant to the Action Plan at the district, provincial and national levels.

- ✚ **Keeping the plan dynamic:** The Action Plan should remain a living document under which further action, activities and outcomes may be incorporated. References to other government policies that include human rights interventions should also be part of the Plan to ensure synergy and alignment on human rights. In this respect, the commitments under the Open Government Partnership's National Action Plan 2017-2019 should be reflected in the Action Plan. The MoHR is the lead agency in three of the four proposed commitments and supporting agency in the Open Governance partnership plan.⁶⁸

- ✚ **Empowering the Commissions:** The NCHR, NCSW and PCSWs need to be made completely independent and their reports and recommendations be considered by the respective

provincial and federal governments, particularly the respective departments. The National Commission on the Rights of the Child (NCRC) need to be formally and institutionally formed and/or their formulation process need to be completed as early as possible. Along with that, their administrative, financial and political autonomy must be ensured by providing them adequate human and technical resources. Like Punjab's PCSW, the Commissions of other provinces be strengthened and empowered in terms of human, financial as well as technical resources. Human Rights MIS as well as well GMIS (coordinated between the provinces and the center) need to be devised to collect and analyze data to assess ongoing or emerging trends around human rights in the country.

✚ **Minority Rights Commission:** The National Commission for Minorities Rights (NCMR) must be constituted as a statutory body through an Act of Parliament rather than having it as ad-hoc body through an executive order. The proposed Commission must hold a mandate to monitor policies, protect and promote the rights of minorities and extend policy in order to ensure them as an equal citizens. To discourage otherization, the negative and divisive characterization of the religious communities, such as 'non-Muslims' need to be avoided in official documents and public discourse. All communities are entitled to be recognized by the faith of their own choosing without identifying what they are not.

✚ **Expediting legislative and institutional pre-requisites:** Understandably, legislation is a slow process in democracies but the parliamentarians need to priorities pending bills pertaining to one or another category of human rights improvement in the country. Post legislation, national and provincial assemblies and concerned departments need to efficiently issue notifications, devise rules of business and then timely allocate the desired funds.

Strategic initiatives, particularly human rights plans and priorities, including materialization of the Action Plan should not be sacrificed at the altar of political and party differences particularly in the wake of the new government coming to powers. Political claims and statements about human rights reforms and improvements need to commensurate with the actual situation on ground. Usually a big lag between political statements and real situation is observed exacerbating confusion and uncertainties amongst the masses and international human rights circles.

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68 The Commitments under the theme of Citizen Engagement/Civil Liberties are: Commitment # 4.1 Guidelines on Citizen Engagement in Policy Development and Evaluation; Commitment # 4.3 Women's Participation in Election process; Commitment # 4.4 Women's Economic participation and Empowerment. This will also enable the Ministry of address the overlap with commitment # 4.2 Formulation of National Policy Framework on Human Rights.