



# International Covenant on Civil and Political Rights

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## Human Rights Committee 120th session

### Summary record of the 3387th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 12 July 2017, at 10 a.m.

*Chair:* Ms. Waterval (Rapporteur)

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(*continued*)

*Initial report of Pakistan (continued)*

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**  
(continued)

*Initial report of Pakistan (continued)* (CCPR/C/PAK/1; CCPR/C/PAK/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Pakistan took places at the Committee table.*
2. **Ms. Malik** (Pakistan) said that a *jirga* (tribal council) composed of 25 women had been established in Swat and had settled many cases involving women. *Jirgas* had become more structured and victims of criminal offences were increasingly seeking redress before criminal courts rather than *jirgas*. Women Complaint Centres provided free legal aid and other assistance to women in distress. With regard to the honour killing that had occurred near Abbottabad in May 2016, the perpetrators had been detained and would be prosecuted.
3. Steps were being taken to control the harmful practice of *ghag*; (forced marriage of women); the Khyber Pakhtunkhwa Elimination of the Custom of *Ghag* Act had been passed in 2013, for example, and was being properly enforced. In order to promote women's participation in political life, it had recently been established that women should account for 5 per cent of the candidates put forward by any party and for 10 per cent of the votes cast in any constituency. In addition, persons with disabilities were now able to vote by post.
4. **Mr. Shafique** (Pakistan) said that the National Commission for Human Rights operated independently of the Government. To his knowledge, the Chairperson of the Commission had not been prevented from serving as a member of the delegation; he would like more information on the allegations that had been made in that regard.
5. **Mr. Naz** (Pakistan) reaffirmed that the Commission was entirely independent and was not subject to pressure from the Government.
6. **Mr. Amil** (Pakistan) said that the decision to lift the moratorium on the death penalty had been based on a national consensus that had been reached following a horrific terrorist attack on children. The Government had respected the wishes of the people, as expressed through their members of parliament. Since the moratorium had been lifted, 562 persons had been sentenced to death and 428 persons had been executed. Between 2015 and 2017, there had been a steady decline in the number of executions. The Government was constantly reassessing the situation, with a view to narrowing the scope of application of the death penalty. It was important to stress that minors were never executed and that, under the Constitution, any person sentenced to death could file an application through the Ministry of the Interior for pardon, reprieve and respite and for the remission, suspension or commutation of his or her sentence, to be granted by the President.
7. **Ms. Javeri Agha** (Pakistan) said that an abortion could be performed lawfully after 12 weeks of pregnancy if the mother required necessary treatment or if her life was in danger. The concept of necessary treatment could be interpreted very broadly. Nobody had ever been convicted for performing or undergoing an abortion. Thanks to the work of many NGOs, the provision of women's health services had improved greatly. It was also worth noting that the government of Punjab had developed guidelines on safe abortion and postabortion care.
8. Between 2000 and 2017, the maternal mortality rate had dropped from 490 to 250 deaths per 100,000 live births and the mortality rate for children under 5 years old had dropped from 138 to 85 deaths per 1,000 live births. The health budget had increased and the country had established an extensive network of female health workers, with 120,000 women providing primary, secondary and tertiary care.
9. **Mr. Heyns** said that the Committee was concerned by reports of extrajudicial executions by members of the police force and the military, and by the impunity enjoyed by the perpetrators of those crimes. It was also concerned that the death penalty was not being applied in accordance with the substantive and procedural safeguards provided for in the Covenant. The phrase "the most serious crimes", contained in article 6 (2) of the Covenant,

was generally understood by the international community to refer to acts of murder, yet only 20 per cent of the persons sentenced to death in Pakistan had committed an act of that kind.

10. The right to a fair trial was not sufficiently protected, particularly in military courts. The State party had claimed in paragraph 8 of its replies to the list of issues that no prisoner with mental health problems had ever been executed; the Committee had been informed, however, that Mr. Muneer Hussain, a prisoner suffering from a serious mental illness, had been executed in 2015.

11. He would be grateful if the delegation could provide an example of a case in which clemency had been granted, for it appeared that applications for clemency were invariably unsuccessful. With regard to the execution of minors, the Committee was concerned by cases such as that of Shafqat Hussain, who had been executed in 2015, having been arrested for murder at the age of 14 in 2004.

12. Pointing out that the State party was responsible for requiring that medical examinations be conducted to determine the age of the accused, he asked whether that requirement was met and what other measures were being taken to prevent the execution of minors.

13. **Mr. de Frouville**, noting that the grounds for discrimination set out in articles 2 and 26 of the Covenant were not explicitly mentioned in article 25 of the Constitution, said that he would like to know whether there were plans to adopt comprehensive anti-discrimination legislation, as recommended by the Committee on Economic, Social and Cultural Rights in paragraph 20 of its concluding observations on the initial report of Pakistan to that Committee (E/C.12/PAK/CO/1) and whether there was any case law to support the State party's claim, in paragraph 47 of its report, that the judicial interpretation of article 25 of the Constitution was broad enough to address discrimination on all grounds mentioned in article 2 of the Covenant.

14. It remained unclear whether the State party had considered withdrawing its reservations to article 3 of the Covenant, on gender equality. In that connection, it would also be useful to know whether there were any plans to amend the discriminatory provisions contained in the Muslim Personal Law (Shariat Application) Act of 1962 and the Law of Evidence. Lastly, he wished to know whether the State party intended to decriminalize same-sex relations, as recommended by the Committee on Economic, Social and Cultural Rights in paragraph 22 of its concluding observations, and what other steps it might take to combat discrimination on the basis of sexual orientation and gender identity.

15. **Ms. Cleveland** said that she would like to know whether the concept of necessary treatment, in the context of abortion, covered mental health treatment; whether it remained the case that abortion was not permitted in the event of rape, incest or fetal impairment; and what legal instrument served as a basis for the interpretation of article 338 of the Criminal Code. It would be useful if the delegation could indicate what efforts had been made to inform medical students, health service providers and the general public of the circumstances in which abortion could be performed legally; to ensure that abortions were performed safely by qualified service providers throughout the country, including in provinces where the local government was responsible for regulating abortion; and to combat the stigmatization of women seeking an abortion.

16. Recalling that the death penalty must not be implemented in a manner that constituted torture or cruel, inhuman or degrading treatment or punishment, she said that the Committee had received reports of a number of failings in that regard, including botched executions owing to a shortage of trained staff and a lack of communication with family members. She would like to know what was being done to ensure that death sentences were carried out in accordance with article 7 of the Covenant.

17. She asked whether the State party planned to re-enact the Protection of Pakistan Act, which had expired in 2014. If so, it would be useful to know whether the Act would be amended in order to take account of the Committee's concerns over the breadth of authority it bestowed, including the use of force during arrests and lengthy pretrial detention. She

also wished to learn of the outcome of trials conducted under the Act and action taken in respect of pending cases.

18. The extensive jurisdiction of antiterrorism courts was a matter of concern. Moreover, as a result of the broad definition of terrorism, ordinary murder, kidnapping and robbery could be understood as falling within their purview and the courts were reportedly overburdened with cases that should be handled by civilian courts. She asked what measures the State party intended to take to ensure fair trials, narrow the definition of terrorism and reduce the backlog of cases.

19. The Committee was concerned by the extension of the jurisdiction of military courts to cases transferred from antiterrorism courts and to persons detained under the Actions (in Aid of Civil Power) Regulation. According to information before the Committee, there were incidents of secret detention, incommunicado detention and ill-treatment, and approximately 90 per cent of convictions were based on coerced confessions. There was also concern over the fact that military court proceedings were secret; defendants had reportedly no opportunity to choose a lawyer; the identity of judges was not revealed; and neither the evidence nor the grounds for conviction were made public. Such proceedings were inconsistent with articles 14 and 15 of the Covenant. Although military court judgments could be appealed, civilian courts appeared to have limited jurisdiction and she wished to know in what way the State party afforded a meaningful right of appeal, what civil oversight mechanisms were in place and what kinds of remedies were available. She requested the delegation to comment on reports that five of the individuals convicted by military courts were victims of enforced disappearance, and that the Supreme Court had rejected an appeal lodged by families on grounds of coerced confessions.

20. Although the State party had claimed that no juveniles had been tried in military courts, one person had reportedly been arrested at the age of 14, gone missing, and reappeared when convicted by a military court six years later. She invited the delegation to comment. It would be useful to know what measures the State party intended to take to reform military court proceedings, improve conditions of confinement and ensure due process. With regard to the State party's assertion that all allegations of torture were duly investigated, she asked how persons held in incommunicado or secret detention could file complaints of torture or ill-treatment. Could the delegation provide data on torture-related court proceedings?

21. She asked whether refugees and asylum seekers without identification cards were subject to restrictions on freedom of movement. With regard to the provisions of the Exit from Pakistan (Control) Ordinance 1981, she asked the delegation to explain the difference between the Exit Control List (ECL), the Black List and the Visa Control List and to specify the criteria used for placing individuals on those lists. It would be useful to know whether individuals were informed when placed on a list, whether the decision could be challenged, and when a name was removed from the list. According to information before the Committee, the Exit Control List was used to curtail freedom of movement of persons accused of blasphemy, journalists and activists, among others. She asked what safeguards were in place to ensure that travel restrictions were not imposed improperly, whether it was true that entry and exit to Balochistan had been blocked repeatedly, under what circumstances passports were cancelled, and which areas of the country were currently subject to travel restrictions for foreigners.

22. **Ms. Brands Kehris** said that the Committee would appreciate receiving data on the number of complaints, investigations, prosecutions and convictions under the Punjab Protection of Women Against Violence Act and the Anti-Honour Killings (Criminal Laws Amendment) Act. She also wished to learn more about the implementation of the Sindh Domestic Violence (Prevention and Protection) Act and the Balochistan Domestic Violence (Prevention and Protection) Act and any obstacles to implementation. She asked what progress had been made with regard to the adoption of the national domestic violence bill, whether the Anti-Rape (Criminal Laws Amendment) Bill included provisions on marital rape and whether the special procedures set forth therein had been applied.

23. It appeared that the Constitution prohibited the use of torture for the extraction of evidence, but remained silent on its use for other purposes, and that the definition of torture

fell short of that provided in article 7 of the Covenant. She asked whether the State party had taken any steps to bring its definition of torture into line with the Covenant. She also wished to know why the penalty for acts of torture set forth in the Police Order of 2002 was half that of the penalty established in the Penal Code, and what had been done to ensure that penalties were commensurate with the gravity of offences. Could the delegation provide the text of the relevant Penal Code article? It would be useful to know whether the Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill had been adopted, and whether the shortcoming concerning the independence of the investigative body had been addressed. She enquired why section 21-H of the Anti-Terrorism Act did not contain any safeguards to ensure that defendants were not tortured or ill-treated to obtain confessions, and whether there were plans to include such safeguards in the future.

24. Could the delegation inform the Committee of any specific measures that had been taken to implement its legislation prohibiting bonded labour? The practice reportedly continued to exist and was widespread, especially in the brick kiln industry and among Christians and Dalit, and she asked whether workplaces were being monitored, whether district vigilance committees were effective and whether specific steps been taken to address bonded labour in domestic work. The Committee would welcome data on bonded labour-related proceedings, on awareness-raising activities, and the implementation of the Prevention and Control of Human Trafficking Ordinance.

25. **Mr. Iwasawa** reiterated the questions he had raised at the previous meeting regarding enforced disappearances and extrajudicial killings, which had remained largely unanswered.

26. According to information before the Committee, the security forces, the military and the intelligence services used torture systematically to obtain confessions. He asked what had been done to combat such practices and to prevent impunity. Could the delegation provide information on criminal proceedings opened against police officers suspected of committing torture, sanctions imposed and compensation awarded? It would be useful to know why members of the military and paramilitary forces were granted retrospective immunity from prosecution for torture under the Actions (in Aid of Civil Power) Regulation and the Army Act, and whether there was independent oversight of police conduct. He asked whether the Human Rights Cell of the Supreme Court and the National Commission for Human Rights investigated allegations of torture effectively, and whether there were any other independent mechanisms serving that purpose. He wished to know whether any Pakistani authority had conducted an independent investigation into the torture and death in custody of political activist Aftab Ahmad in May 2016.

27. Given that unsentenced prisoners reportedly made up the majority of the prison population in the State party, and that individuals might remain in detention for periods exceeding the maximum sentence, he wished to know what would be done to reduce the length of pretrial detention. Information before the Committee suggested that, under the Anti-Terrorism Act, security agencies could detain any person suspected of involvement in the activities of a proscribed organization for a period of up to one year. Could the delegation comment on the veracity of that information? He asked how many habeas corpus writs had been filed in order to obtain release from security-related and preventive detention, how often release had been granted, through what mechanism the court monitored compliance with release orders, and in how many cases the courts had granted compensation for illegal arrest.

28. Additional information was required on the outcome of the judicial reforms undertaken in the framework of the National Judicial Policy of 2009. He wished to know what criteria were used for judicial appointments. What measures would be taken to increase the insufficient budget allocations for the judiciary, improve the working conditions of judges, address the shortage of judges, combat corruption in the judiciary and guarantee its independence? It would also be useful to know what progress had been made with the protection of victims, witnesses and legal professionals, and how many persons had been tried and convicted for threats and attacks against legal professionals.

29. **Mr. Ben Achour**, referring to the recent lifting of the moratorium on the death penalty, said that one of the purposes of a human rights system, in democracies in particular,

was to prevent popular excesses. In that connection, he would welcome a comment on reports that the decision to lift the moratorium had been made not by consensus, as the State party had claimed, but by the Government alone. He wondered whether any of the State party's Presidents had ever used their constitutional prerogative to grant a pardon to a person sentenced to death.

30. Turning to the issues of torture, ill-treatment and deprivation of liberty, he said that the State party's reliance on Jail Committees to ensure that conditions of detention were adequate was a commendable practice. However, the State party's 97 prisons were operating at nearly double their official capacity, and the Committee had received reports of cases of torture in both prisons and police holding facilities.

31. Ensuring that the Constitution and federal laws were applied throughout the State party, including the Federally Administered Tribal Areas, was a complex task. It would be interesting to know, for example, what progress had been made by the Reform Committee that had been constituted to ensure that the jurisdiction of the State party's courts and the scope of its laws extended to the Tribal Areas. Ensuring the application of article 8 of the Constitution, under which any laws inconsistent with or in derogation of fundamental rights were to be void, posed particular problems, as doing so required reconciling the imperatives of human rights and Islamic law. In that regard, he wondered what the State party's authorities believed could be done to reconcile two of the introductory clauses of the preamble to its Constitution — one stating that sovereignty over the entire universe belonged to the almighty Allah alone and the other that it was the will of the people to establish an order wherein the State was to exercise its powers and authority.

32. That reconciliation was of prime importance in the area of human rights, as a number of Islamic laws, those dealing with family and criminal matters in particular, did not lend themselves to the exercise of the rights recognized in the Covenant. It seemed unlikely, for example, that all persons under the jurisdiction of a State that required the President and the Prime Minister to be Muslim, as Pakistan and a number of other Muslim countries did, were equal before the law. The constitutional provision stating that no law repugnant to the injunctions of Islam should be adopted was itself contrary to the Covenant. He wondered whether the State party's laws on the status of women, as inspired by the injunctions of Islam, were consistent with article 25 (2) of its own Constitution, which prohibited discrimination on the basis of sex. Were the laws that allowed a man to take more than one wife, that deprived women of equal inheritance rights and that made their testimony worth half that of a man not incompatible with that constitutional guarantee?

33. As Muhammad Iqbal, the intellectual father of Pakistan, had noted, the Qu'ran was not a code of law. Many Muslim countries had amended their laws to bring them into line with the spirit of the times. Pakistan, which had been one of the first countries to promote a form of Islam characterized by tolerance, should consider making a similar effort. Pakistan, like much of the Islamic world, was the victim of a contradiction: it endured the effects of the terrorism and religious radicalization for which it provided a breeding ground by insisting on a strict interpretation of the inegalitarian aspects of Islam.

*The meeting was suspended at 11.45 a.m. and resumed at 12.05 p.m.*

34. **Mr. Michael** (Pakistan) said that Pakistan was a religiously and culturally diverse country. Efforts had been made to encourage tolerance and mutual respect. People of various backgrounds enjoyed equal rights under the Constitution, and religious and other minorities were free to visit their places of worship. There was no organized intolerance directed against religious minorities.

35. National Minorities Day was observed every year on 11 August, and political leaders, including the Head of State and the Head of Government, made it a point to take part in the festivals of the country's religious minorities, including its Christian, Hindu, Sikh, Baha'i, and Buddhist communities. In addition, 5 per cent of all posts in the federal services were set aside for minorities, and Interfaith Harmony Committees, which did much to promote harmonious relations between adherents of different faiths, had been established by the provincial governments. The new Ministry of Religious Affairs and Interfaith Harmony was formulating a national interfaith harmony policy, and in 2014 the terms of

reference of the National Commission for Minorities had been revised to make the Commission more effective.

36. The Constitution ensured that he himself and his fellow Christian Pakistanis, as well as other national minorities, enjoyed the same rights as Muslim Pakistanis, including the right to freedom of worship. Pakistan was the only Muslim country to provide its minority communities with public funds to help them build or renovate places of worship.

37. Seats in the country's main law-making bodies, including the National Assembly and the Senate, were set aside for minorities. Christians and other minorities were given the opportunity to contribute to the development of their country. He himself, for instance, had served Pakistan in various capacities, including as Minister for Human Rights and as head of the present delegation. His appointment to those positions was evidence of the effectiveness of his country's efforts to ensure that all its citizens enjoyed freedom from discrimination. Those efforts, which involved legislative changes, training and awareness-raising, would only intensify as the country's democracy matured.

38. **Mr. Amil** (Pakistan) said that answers to a number of the many questions asked by Committee members, several of which did not lend themselves to a brief oral reply, would be provided in writing in due course. He had not realized that he and his fellow delegation members would be called on to comment on the legitimacy of the Qur'an as a source of law. A discussion of such a topic would require the participation of scholars fully conversant with the subtleties of Islamic jurisprudence. Members of the delegation wished to engage with the Committee, but it was simply not possible to answer all the complex questions they had been asked in the little time they had been given.

39. Committee members appeared to be operating under the misconception that the Government had lifted its moratorium on the death penalty unilaterally. That had not been the case. That decision had been made, after the murder by terrorists of a 5-year-old girl, in the wake of a conference of all the country's political parties. It had been the people's will, and Pakistan, it should be emphasized, was a democracy.

40. In 2010, Pakistan had set up a body to investigate reports of enforced disappearances. The Commission of Inquiry, as it was known, received complaints from a number of sources, including the family members of missing persons, and filed incident reports with the police at the direction of the Supreme Court of Pakistan or on its own authority. Pakistan was concerned about disappeared persons and their families, but it should be kept in mind that people sometimes disappeared of their own volition, in some cases to join terrorist organizations. Pakistan had the legal and governmental infrastructure to deal appropriately with enforced disappearances, but as a developing country of some 200 million people, it had limited financial resources.

41. Foreign interference, including State-sponsored terrorism, was a problem in parts of the country, and in some cases people unwittingly entered areas where security operations were under way, putting themselves and their rescuers in harm's way. One such case had involved a United Nations official.

42. Pakistan was fortunate to have a vibrant civil society and an active broadcasting industry. There had been no reported cases of reprisal, harassment or intimidation concerning families of allegedly disappeared persons, human rights defenders or lawyers. The family members of disappeared persons attended the hearings held by the Commission of Inquiry. In some cases, such family members received monthly allowances or other financial assistance. Safeguards had been put in place to protect victims and witnesses, in particular women.

43. The Commission, which was supported by governmental departments at the federal and provincial levels and by intelligence and law enforcement agencies, had disposed of 2,416 cases between March 2011 and November 2016. A total of 1,798 persons had returned home or had been confined in prisons or in internment or rehabilitation centres. The remaining 618 cases had been closed on various grounds. There was no single authentic source of data for enforced disappearances and sometimes inflated figures were quoted. The Commission had received a total of 284 cases of alleged enforced

disappearances concerning the Province of Balochistan. By 30 June 2017, 180 cases had been disposed of and 104 remained under investigation.

44. His country's counter-terrorism efforts under the National Action Plan were in compliance with its international human rights obligations, inasmuch as terrorism had deprived thousands of innocent civilians of their right to life. With regard to the lifting of the moratorium on the death penalty by a political consensus in 2014 and its reinstatement as a penalty in extreme cases, the Ministry of Foreign Affairs of a friendly Western Government had reported that there had been 1,009 terrorist attacks in 2015, compared to 1,823 in 2014, which was equivalent to a 45 per cent decrease.

45. The Protection of Pakistan Act 2014 had not granted extraordinary powers to law enforcement agencies but sought to provide speedy justice to families of victims of terrorism. The Act had been adopted in response to the demands of the people and it also provided protection for judges and witnesses. It was only invoked in extraordinary circumstances involving heinous terrorist crimes.

46. The military courts were authorized to conduct trials of persons involved in offences related to terrorism. The names, qualifications and rank of the judges remained confidential to ensure their security. The proceedings were not held in public, but convicted persons could appeal to the Supreme Court. Moreover, the military courts had not tried or imposed a death penalty on any juvenile. All cases to be tried in the military courts must be approved by the relevant provincial apex committee and sanctioned by the Federal Government. The Supreme Court, in its judgment of 5 August 2015, had provided for judicial review on the ground of *coram non iudice* in relation to any order issued, decision taken or sentence awarded in such trials. Convicted prisoners could lodge an appeal with the Court of Appeals. They could also appeal to the Army Chief of Staff and clemency appeals could be addressed to the President under article 45 of the Constitution. Persons due to appear before the military courts must be informed of the grounds for their arrest within 24 hours. They were entitled to engage a defence counsel of their choice. If they were unable to do so, defence counsel would be provided, on request, at State expense. All allegations of torture had been duly investigated by the competent authorities and disciplinary action had been taken against those responsible.

47. The Penal Code prohibited wrongful confinement, injury or torture of a person to extort a confession. The Code of Criminal Procedure required police to conduct house searches in the presence of two or more witnesses, and the Police Order of 2002 imposed penalties on police officers who tortured or abused a person in their custody. The Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill was currently being considered by parliament.

48. Women could not be imprisoned overnight during an inquiry.

49. As noted in paragraph 42 of the replies to the list of issues, section 21-H of the Anti-Terrorism Act was compatible with article 7 of the Covenant.

50. Allegations of the prevalence of a culture of impunity were misleading. The judiciary had prosecuted many State officials for breaches of regulations, and departmental disciplinary committees had taken action against government officials. Details of such proceedings would be provided to the Committee in due course.

51. The Human Rights Cell of the Supreme Court was mandated to process expeditiously complaints and grievances received from the general public. There was also a National Commission for Human Rights and the provincial Government of Sindh had established the Sindh Human Rights Commission.

52. Standing instructions had been issued to embassies and consular officials requiring them to visit citizens detained abroad, particularly in cases involving the death penalty, and to provide legal assistance if necessary. Fees for needy persons could also be paid from the Pakistani Community Welfare and Education Fund. The Government could file requests to foreign governments for amnesty or a pardon, while respecting national procedures.

53. **Ms. Javeri Agha** (Pakistan) said that the Police Order of 2002 prescribed a penalty of 5 years' imprisonment for abuse of power. Section 44 established the District Public

Safety Commission to address complaints against the police. Other bodies included a Provincial Public Safety and Police Complaints Mechanism, the membership of which included two women members of parliament, a Federal Police Complaint Authority and a National Public Safety Commission. Criminal justice coordination committees had been established under district and sessions judges. They were composed of local police, the prison superintendent, representatives of the Bar Association and parole officers. A Citizens Liaison Committee established a bridge between the Government and civil society, and there were two standing committees in the Senate and National Assembly that addressed human rights violations.

54. She would provide the Committee with a list of the number of incidents of police abuse and the outcome of criminal proceedings. She would also provide it with a list of people who had received compensation for abuse of power. The Health Department was required to confirm whether torture had occurred, and the Ministry of Human Rights had a revolving fund for victims of torture. The Punjab Civilian Victims of Terrorism (Relief and Rehabilitation) Ordinance, which had been adopted in 2016, also provided compensation to victims.

55. **Ms. Malik** (Pakistan) said that vigorous action was being taken to combat discrimination. Transparent and sustainable policies were being pursued, but the goals could not be achieved in the short term. The Constitution enshrined the principles of equal rights and non-discrimination in several provisions of the preamble, in the chapter on fundamental rights and in the chapter on policy principles. The preamble stipulated that adequate provision should be made for minorities freely to practise their religions and to develop their cultures. Article 3 required the State to eliminate all forms of exploitation. Article 4 enshrined the right of citizens and other persons in Pakistan to legal protection and to treatment in accordance with the law. Article 8 stipulated that any law that was inconsistent with fundamental rights was null and void. It also prohibited the State from enacting any such law unless its purpose was to ensure the maintenance of public order by members of the armed forces or the police. Article 25 provided for equality before the law. Article 26 provided for non-discrimination in respect of access to public places on grounds of race, religion, caste, sex, residence or place of birth. Article 27 provided for equality of employment in the public and private sectors. Articles 11 and 37 prohibited trafficking in human beings and prostitution. Article 32 made special provision for the representation of women in local government. Article 33 required the State to discourage prejudice on parochial, racial, tribal and sectarian grounds.

56. The Government's Decent Work Country Programme comprised a strategy and plan of action to promote the creation of decent work based on gender equality. The Labour Protection Policy 2006 also recognized non-discrimination as a basic human right. The Benazir Income Support Programme provided cash grants to women heads of household to ensure their financial independence. Furthermore, 50 per cent of the Prime Minister's interest-free loans served the purpose of empowerment of girls and women through education.

57. **Ms. Javeri Agha** (Pakistan) said that quotas for women had been increased in a variety of areas. They now accounted for 17 per cent of members of the National Assembly, 33 per cent of members of the provincial assemblies, and 15 per cent of public-sector posts. The ratio of women in the labour force had increased from 11 per cent to 16 per cent in 2017.

58. **Mr. Amil** (Pakistan) said that the Government had deleted 4,987 names from the Exit Control List. The only persons whose names remained on the list were those involved in anti-State activities, espionage, acts of terrorism, acts prejudicial to the integrity, security or defence of Pakistan, persons involved in drug trafficking, human trafficking or money laundering, members of proscribed organizations, deserters from the defence or security forces, and perpetrators of economic crimes or institutional fraud. If investigations were being conducted, the period of placement on the list was one year, and the placement was subject to review by a committee in the Ministry of the Interior. Following the investigations, the period of placement was three years, except in cases of terrorism, espionage, subversion, drug trafficking and human trafficking. Any person aggrieved by an

order of the Federal Government could request a review of the order within 15 days. The Federal Government was required to issue a decision within 60 days.

59. **Ms. Malik** (Pakistan) said that the National Commission on the Status of Women had collected abundant data on cases of marital violence and rape, which were addressed in the same context as domestic violence. The data would be forwarded to the Committee in due course.

*The meeting rose at 1 p.m.*