



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Combined twenty-fourth to twenty-sixth periodic
reports submitted by Pakistan under article 9 of
the Convention, due in 2020*, ****

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* The present document is being issued without formal editing.
** The annexes to the present report may be accessed from the web page of the Committee.



Acronyms

| | |
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| AJDF | Access to Justice Development Fund |
| ALP | Alternate Learning Program |
| APF | Asia Pacific Forum |
| BoC | Bureau of Curriculum |
| BTBB | Balochistan Textbook Board |
| BISP | Benazir Income Support Programme |
| BRSP | Balochistan Rural Support Program |
| BoS | Bureau of Statistics |
| CADD | Capital Administration and Development Division |
| CCI | Council of Common Interest |
| CCP | Competition Commission of Pakistan |
| CEDAW | Convention on the Elimination of all Forms of Discrimination Against Women |
| CERD | Committee on the Elimination of Racial Discrimination |
| CrPC | Criminal Procedure Code |
| CSO | Civil Society Organization |
| DGRE | Directorate General of Religious Education |
| DLEC | District Legal Empowerment Committees |
| DVCs | District Vigilance Committees |
| ECP | Election Commission of Pakistan |
| EMIS | Education Management Information System |
| FATA | Federally Administered Tribal Areas |
| FCR | Frontier Crimes Regulation |
| FPRCW | Family Protection and Rehabilitation Centre for Women |
| GANHRI | Global Alliance of National Human Rights Institutions |
| GMIS | Gender Management Information System |
| GoP | Government of Pakistan |
| HR&MA | Human Rights and Minority Affairs |
| ICCPR | International Covenant on Civil and Political Rights |
| ICERD | International Convention on the Elimination of All Forms of Racial Discrimination |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| IRI | Industrial Relations Institute |
| ILO | International Labour Organization |
| IMF | International Monetary Fund |
| ITMP | Ittehad-e-Tanzeem-ul-Madaris Pakistan |
| KP | Khyber Pakhtunkhwa |
| LSBE | Life Skills Based Education |
| MoIB | Ministry of Information and Broadcasting |

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| NACTA | National Counter Terrorism Authority |
| NAP | National Action Plan |
| NCHR | National Commission on Human Rights |
| NCM | National Commission for Minorities |
| NCSW | National Commission on the Status of Women |
| NADRA | National Database and Registration Authority |
| NDMA | National Disaster Management Authority |
| NGOs | Non-Government Organizations |
| NPOs | Non-Profit Organizations |
| NEAS | National Education Assessment System |
| MOHR | Ministry of Human Rights |
| MACP | Minority Advisory Council, Punjab |
| PCSW | Punjab Commission on the Status of Women |
| PEMRA | Pakistan Electronic Media Regulatory Authority |
| PPAF | Pakistan Poverty Alleviation Fund |
| PPC | Pakistan Penal Code |
| PTA | Pakistan Telecommunication Authority |
| PVC | Provincial Vigilance Committee |
| SLACC | Sindh Legal Advisory Call Centre |
| SHRC | Sindh Human Rights Commission |
| SOPs | Standard Operating Procedures |
| UN | United Nations |
| UNCAT | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment |
| UNCRPD | United Nations Convention on the Rights of Persons with Disabilities |
| UNHCR | United Nations High Commissioner for Refugees |
| VAW | Violence Against Women |

Introduction

1. Pakistan became party to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) on 21 September 1966. Subsequently, the Government has kept the Expert Committee on the Elimination of Racial Discrimination apprised of the measures taken by the State Party that give effect to its State obligations. In 2016, the Government appeared before the Committee for dialogue and presentation of its twenty-first to twenty-third (21–23) consolidated periodic report. The Expert Committee, consequently, released its Concluding Observations and Recommendations.

2. The Government of Pakistan is now pleased to present its combined twenty-fourth to twenty-sixth periodic report under Article 9 of the Convention that responds to the Expert Committee's Concluding Observations and Recommendations on ICERD.

3. In preparation of this report, the Government took due care in adhering to the general guidelines adopted by the Experts Committee. Besides, following procedure was adopted by the State Party for preparing this Report:

(a) Two action Matrixes were derived from ICERD text and the General Recommendations of the Expert Committee, tailored specifically for each relevant ministry and provincial government departments. The matrix spelt out requirements under ICERD Articles and elaborated necessary obligations. A set of questions was also developed and disseminated to responsible entities; key Line Ministries, Provincial Government Departments for providing requisite updated information;

(b) The responsible state entities were requested to provide updated information on initiatives for the elimination of racial discrimination in the Country. Correspondence solicited information on institutional, legal and administrative measures initiated by the Government of Pakistan during the reporting period;

(c) A series of Consultative meetings at the Provincial and Federal Level, intended to enhance awareness on ICERD and to solicit data for the combined 24th, 25th and 26th report, were subsequently held with the key line ministries, provincial departments and civil society organizations. The National Consultative meeting was chaired by Secretary of the Ministry of Law, Justice and Human Rights to personally share and discuss the ICERD reporting mechanism;

(d) An inter-ministerial meeting was also organized to review the initial draft of combined 24th to 26th Periodic Report for final input and feedback;

(e) More than two dozen Civil Society Organizations (CSOs) and Non-Governmental Organizations (NGOs) attended the consultative meetings at the Federal and the Provincial levels. The overall view that emerged from the consultations was that there are clear constitutional dictates and penal provisions which strictly prohibit and criminalize the offense of Racial Discrimination and its propaganda.

Concluding observations on the combined twenty-first to twenty-third periodic reports of Pakistan

Recommendation Contained in Paragraph 6

4. After the 25th constitutional amendment, FATA has been merged in the province of Khyber Pakhtunkhwa (KP) with executive authority shifted to the KP Chief Minister and the Cabinet. FATA no longer has special administrative status and the region enjoys uniform application of all laws and the Constitution. In order to mainstream merged areas, due representation has been given to the FATA region in the National and Provincial Assemblies. The old administrative structure has been replaced by establishing police and courts frameworks and creating new government departments in newly merged areas. There is also uniformity in the application of laws in all territories relating to the enforcement of human rights. Similarly, the jurisdiction of courts also extends to the entire territory of Pakistan.

5. The Ministry of Human Rights (MoHR) is also undertaking a comprehensive training of all lower judiciary in Balochistan. By the end of 2020, some 175 judges and 150 members

of the prosecution have been trained on Human rights and International Treaty obligations, including ICERD. Similar trainings have been conducted in Sindh and Khyber Pakhtunkhwa. The Government of Punjab has initiated a program to sensitize trainers involved in training of public officials on issues of religious rights and freedoms. Interfaith harmony seminars are being arranged in Punjab and other provinces to raise awareness regarding religious rights and freedom.

6. At the provincial levels, all provincial governments are undertaking sensitization training of judges, lawyers and prosecutors on issues of racial discrimination and the application of ICERD. The Balochistan Judicial Academy has conducted a number of trainings related to human rights for lawyers and prosecutors to acquaint them with fundamental rights guaranteed by the Constitution, with specific focus on the prohibition of discrimination and its impact on society.

7. In KP Province, the Government is establishing a new training academy that will educate hundreds of KP prosecutors and police each year on domestic laws as well as international treaties signed and ratified by Pakistan. These trainings will also extend to the recently merged areas of the former FATA. Some 27 model courts have been established across the province while the regular courts are performing their functions in erstwhile FATA after the abolition of the British-era Frontier Crimes Regulation (FCR).

8. The Government of Sindh is working hard to ensure the core principles of welfare, empowerment, rights and equality of all Pakistanis. Sindh Judicial Academy is playing an active role to improve judges', prosecutors' and lawyers' awareness about various conventions and the applications of these in criminal judicial system. The Academy has initiated a Skill Based Training Program for Sindh Prosecution Department and Pre-Service Training Program for Investigation Officers that is strengthening the justice system in the province. The MoHR has also recently signed an MOU with the Sindh Judicial Academy to train 360 judges of lower judiciary and 360 members of the prosecution on International Human Rights law and the treaties that Pakistan has ratified, including ICERD.

9. The Punjab Judicial Academy primarily imparts training to the judges and court personnel of Punjab. The training curriculum and module, while focusing on imparting continuous education and training on core areas of their functions, also aims to promote awareness of various universal principles, including non-discrimination, as enshrined in the Constitution of Pakistan and international conventions. The Academy, in collaboration with different International Organizations, Divisions and Departments of the Federal and Provincial Governments, has also conducted special programs to promote awareness and protection of rights of child and other vulnerable segments of the society as provided in international conventions, within the overall framework of domestic laws.

Recommendation Contained in Paragraph 8

10. While appreciating the Expert Committee's recommendation, the State Party would like to inform that the term "Racial Discrimination" is already adequately understood and considered within the legal and administrative frameworks of Pakistan.

11. Safeguarding the rights of minorities is the priority of the Government of Pakistan. Pakistan is a democratic country and pluralism is the central pillar of our society. Under Articles 20, 21, 22, 26, 27 and 28 of the Constitution, minorities are equal citizens of Pakistan and are free to profess their religion and visit their places of worship. We have taken several legislative measures and policies that translate constitutional principles into firm state actions for the promotion and protection of rights of minorities.

12. Pakistan is home to a diverse population having different faiths or belonging to different ethnic and linguistic groups. Diversity is integral part of Pakistani society and has played an important role in the development, peace and prosperity of the country. Despite challenges arising from ethnic and sectarian global fault lines, which have its roots in geopolitics surroundings, Pakistan has preserved its societal balance and cultural diversity.

13. Racial Discrimination by and large is not a prevalent phenomenon in Pakistan. The state party has consistently condemned all forms of discrimination and it has pursued, through all available means, to eliminate discrimination to promote understanding among all

segments of its society. This is in line with Article 2 and 2-A of the Constitution. The Constitution unequivocally states that the right to human dignity is absolute and unqualified and may not be violated on any ground or reason whatsoever.

14. Chapter I of the Constitution of Pakistan already guarantees and lays down the framework for the protection of Fundamental Rights of all its citizens “without any discrimination”, as does Chapter II which lays down Principles of Policy that provide a substantive framework for the protection of rights of the citizens of Pakistan, including the rights of the minorities. Article 27 of the Constitution provides safeguards against any form of discrimination in services on the basis of race, religion, caste, sex, residence or place of birth, while Article 9 of the Constitution mandates protection of life and liberty to all citizens subject to law. Fundamental rights of the citizens are of paramount importance as provided in Article 8 of the Constitution, which states that “Laws inconsistent with or in derogation of fundamental rights to be void”.

15. Article 36 of the Constitution states that: “the state shall safeguard the legitimate rights and interests of minorities, including their due representation in the federal and provincial services.” Similarly, Article 33 of the Constitution forbids any sort of discrimination among citizens on racial, parochial, tribal or sectarian grounds.

16. Government has recently strengthened National Commission for Minorities (NCM) which works for the protection of minorities’ rights, independently and effectively.

17. Members of minority communities in Pakistan enjoy equal rights as citizenry of the State and work in every field of life: from scientific to judicial, to armed forces, diplomats and civil services, politics to business, medicine, engineering, journalism and education etc. The contributions of minorities in Pakistan have been substantive. Furthermore, there is no bar on any caste, creed, linguistic and ethnic group in respect of political participation at national, provincial or local level. For instance, the first ever Law Minister, Jogendra Nath Mandal was a Hindu; Justice A.R. Cornelius, a Christian, was the 4th Chief Justice of Pakistan; Justice Dorab F. Patel, a Zoroastrian, had been the Chief Justice of Sindh High Court who was later elevated as Justice Supreme Court of Pakistan. He was also the founding member of the Asian Human Rights Commission; and Justice Rana Bhagwand as, a Hindu, has been the Chief Justice Supreme Court of Pakistan. Dr. Abdul Salam, an Ahmedi, was a Nobel Laureate of 1979. In armed forces and civil services, many members of the minorities have risen to high positions and have also been awarded highest awards.

18. Pakistan Penal Code (PPC) defines penalties against wrongdoers of actions against minorities. Section 153(A), of PPC criminalizes promotion of enmity between different groups, on the basis of race, religion, language, caste or community; Section 505(2), criminalizes publication of any material that may incite group differences; Section-295, relates to injuring or defiling place of worship with intent to insult religion of any person; Section 295-A, concerns malicious acts intended to outrage religious feelings of any class by insulting their religion beliefs; Section 296, relates to disturbing religious assembly; Section 297 prohibits trespassing on burial place; and Section 298, penalizes uttering of words with deliberate intent to wound religious feelings. In addition to the PPC, Police Order, 2002 also contains special provisions to ensure protection of the rights of vulnerable sections of society.

Recommendation Contained in Paragraph 10

19. The existing legal framework comprehensively protects the rights of all its citizens without discrimination. The spirit of anti-racial discriminations has been given full effect in the Constitution, Pakistan Penal Code (PPC) and other domestic laws. The State has taken effective measures to prevent incitement to or acts of racial discrimination.

20. Article 38 of the Constitution states that the state shall “secure the well-being of people, irrespective of sex, caste, creed or race by raising their standard of living ...”. Article 25 of the Constitution of Pakistan 1973 specifically prohibits discrimination against any citizen. Article 36 ensures protection specifically provided for minorities. Similarly, various provisions of the PPC (as mentioned above in paragraph 16) provide a legal framework to criminalize wrongs committed against minorities.

21. It may be underlined that the judicial interpretation of Article 25 guaranteed in the Constitution has led to the development of an extensive body of case law covering a broad spectrum of governmental activity. In practice, equal protection of law is ensured by the right of individuals to challenge governmental actions in courts and the power of the courts to invalidate acts which are determined to be unconstitutional. Article 25 also encourages the State to take special measures for the protection of the rights and interests of women and children in this regard, like job quotas in the government as well as reserve seats in educational institutions. It can be enforced directly at the request of any individual within the jurisdiction of Pakistan through a constitutional petition before the relevant high court having territorial jurisdiction. The approach of the courts while hearing such petitions has been generally very considerate. The judicial interpretation of Article 25 is, therefore, broad enough to address discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, as required by Article 2 of the Convention.

22. Article 26 states that no person otherwise qualified can be discriminated against in the matter of employment on the basis of race, religion, caste, sex, residence or place of birth. Article 27 places complete ban on discrimination on the basis of sex in appointment in “the service in Pakistan”, provided that the performance and functions of the job can be carried out by, and is deemed suitable for, both sexes.

23. Pakistan has been ranked as one of the least racist countries in the world, according to a report in the Washington Post.¹ Data tabulated from the World Values Survey, compiled by two Swedish economists, suggested that Pakistan was among the more racially tolerant countries.

24. To combat racist hate speech, Pakistan has promulgated various laws and taken meaningful policy measures to criminalize hate speech and promote racial and interfaith tolerance and harmony among its citizens. Please refer to paragraphs 30–35 of this report for further details.

Recommendation Contained in Paragraph 12

25. The final results of the 6th Population and Housing Census have been approved by the Council of Common Interests (CCI) and are available on Pakistan Bureau of Statistics (PBS's) online portal.

26. According to the data collected by the PBS, the number of men in the country stand at 106,449,322 while the number of women is 101,314,780. Meanwhile, there are 10,418 transgender persons in Pakistan. A province wise breakdown of these statistics is provided along with data collected in respect of each *tehsil* (administrative unit/sub division). PBS has collected data on ethnic, racial and religious minorities in Pakistan through the Population and Housing census based on various indicators including sex ratio; rural/urban population, religion – the data is divided into categories such as Muslims, Hindus, Christians, Ahmedis, Scheduled Castes and Others; literacy ratio; age dependency ratio; population density average annual growth rate; enrollment ratio; economically active population; labour force participation rate; un-employment rate; and disabled population. To improve data collection, PBS has added the disability module based on Washington Group of Questions which is one of the important indicators of human rights and SDGs. These indicators identify the population breakdown on the basis of socio-economic factors as well as ethnic, religious and racial factors.

27. At the provincial level, for collection of statistical data, the Bureau of Statistics (BoS) are working under the umbrella of the National Statistical System, led by the PBS. All data collection activities are being carried out according to national level protocols and standards and can be compared with other provincial results. The data collected is segregated for various socio-economic indicators according to gender, age and district. BoS has conducted a survey on Women's Economic and Social Wellbeing and a component of this survey has

¹ <https://www.washingtonpost.com/news/worldviews/wp/2013/05/15/a-fascinating-map-of-the-worlds-most-and-least-racially-tolerant-countries/>.

been conducted of minorities titled “Survey for Minority Population”. The report compilation of the survey is currently under progress.

Recommendation Contained in Paragraph 14

28. National Commission for Human Rights Act, 2012 provides for the establishment of National Commission for Human Rights (NCHR) to exercise the powers and functions under the Act. The Federal Government established the National Commission for Human Rights on 19th May 2015 in conformity with the Paris Principles for a period of four years which completed its term in May 2019. The Commission consists of a Chairperson, who has been, or is qualified to be a judge of the Supreme Court or a person having demonstrable knowledge of, or practical experience in matters relating to human rights; one Member from each province; one Member from Islamabad Capital Territory; one Member from minority communities; Chairperson National Commission on Status of Women (*ex-officio*); and a Secretary, who shall be appointed by the Commission. The Federal Government has also approved 171 posts for the functioning of the Commission and its regional offices. Of the total membership of the Commission at least two shall be female members. A member or chairperson shall not be less than forty years of age and shall have knowledge and experience relating to human rights.

29. The NCHR is an independent statutory body and is directly accountable to the Parliament of Pakistan and its financial and performance reports are also directly presented to the Parliament for approval on annual basis. It is mandated to investigate and inquire into matters of human rights violations, visit areas of detention, undertake research and advise on policy matters pertaining to the situation of human rights in Pakistan, review existing and proposed legislations in relation to human rights principles, contribute to national human rights awareness raising and advocacy initiatives, and develop national action plan. The Government has empowered the Commission through positive increases in its annual budget. In 2017–18, budget of NCHR’s was increased by 150% to further strengthen it. MoHR’s budget for 2018 was PKR 157.5million while NCHR’s budget was PKR 105million), which is higher than that of MoHR (see Annex A for a breakdown of NCHR’s Funding).

30. The NCHR has started the process for obtaining accreditation from the Global Alliance of National Human Rights Institutions (GANHRI) Sub-Committee on Accreditation. For this purpose, a detailed capacity assessment of the NCHR is scheduled. The capacity assessment shall be carried out by the Asia Pacific Forum of Australia (APF) and the United Nations, which is indirectly linked to the accreditation process. This capacity assessment shall assist APF and the UN agencies to lobby for the accreditation of NCHR. Once the capacity assessment is conducted, the NCHR shall formally submit its application to GANHRI.

Recommendation Contained in Paragraph 16

31. The menace of extremism, sectarianism and intolerance became more pronounced as a result of the War on Terror which has over the years cost the country approximately 73,000 innocent lives and an economic loss of worth USD200 billion. After approval of National Action Plan 2014 (NAP), a consolidated national effort was launched against extremist elements, which has resulted in making all communities safe and secure.

32. The NAP devises steps to counter hate speech and extremist material, take effective steps against religious persecution, register and regulate *madaris*, ban glorification of terrorism and terrorist organizations through print and electronic media. Under the NAP, Provincial Governments have directed District Administrations to conduct vigilant searches to curb hate speech.

33. 1,373 cases regarding hate speech, or publishing hate material, have been registered, 2,566 persons have been arrested and at least 70 shops sealed. Moreover, 19,895 cases have been registered for misuse of loudspeakers and 20,679 persons have been arrested and 8,759 pieces of equipment confiscated. In jurisprudence, to ensure that religious sentiments of

minorities are not offended, the Lahore High Court held that Director General, PEMRA should block content which may offend any religious minorities.²

34. The Government of Pakistan has taken various steps to counter hate speech. As mentioned above, Section 153-A of Pakistan Penal Code (PPC) criminalizes incitement to violence based on religion or belief and provides penalty up to five years with fine. Section 99-A of Criminal Procedure Code (CrPC) provides a mechanism to forfeit any publication causing hatred in respect of religious feelings of a community. Courts generally take a very strict stance on instances involving hate speech – the Supreme Court recently took *suo motu* action and held that speech uttered by members of a religious political party at a sit-in protest Rawalpindi was tantamount to hate speech and the court gave various directions including that any person issuing an edict (*fatwa*) which harms another person or puts them in harm's way, should be punished under the applicable law and TV licensees and others who broadcast messages advocating or inciting commission of an offence should be proceeded against by PEMRA in accordance with law.³ In another case,⁴ the Islamabad High Court rejected an appeal against an order passed by PEMRA holding a media house guilty of hate speech.

35. Interfaith harmony conferences have also been held in all provincial headquarters of the country. Each year important religious functions of minorities and Minorities Days are celebrated at official level. Interfaith Harmony Committees have been established by Provincial Governments and they play a positive role in creating healthy environments among different communities. Provincial Home Departments also provide security to Minorities on different occasions such as Holi, Easter, Good Friday and Sunday prayers.

36. Furthermore, under Section 26 of PEMRA Ordinance 2002 as amended by PEMRA (Amendment) Act, 2007, councils of complaints have been established to review and redress public/individual complaints against any licensee or individual received through a 24/7 toll free number 0800-73672. Further clauses (c), (d) and (e) of the PEMRA Code of Conduct for Media Broadcasters or Cable TV Operators prohibit its licensees from airing any program which contains any abusive comment or exposes an individual or a group of individuals to hatred based on race, ethnic or linguistic origin, or religion.

37. TV licensees must ensure that hate speech by any of its employees or any guest in a programme is not aired. The licensee shall not relay allegations that fall within the spectrum of hate speech. In case of hate speech by or against any guest, the channel and its representative must stop the participant and remind him and the audience that no one has the authority to declare any other citizen as a *Kafir*/infidel or enemy of Pakistan, Islam or any other religion. Furthermore, public officials are required to abide by the Government Servants (Conduct) Rules, 1964 which require them to refrain from any speech in any document published, any communication made to the press, any public utterance, any television programme or radio broadcast.

38. Provincial efforts to curb religious intolerance have been outlined below:

Khyber Pakhtunkhwa

- Enactment of KP Protection of Communal Properties of Minorities Act, 2014, which stipulates the constitution of the Khyber Pakhtunkhwa Commission for Minority Affairs and restricts sale and transfer of minority community properties; and KP Evacuee Trust Property (Management and Disposal) Act, 2014, which provides for the management and disposal of evacuee properties attached to charitable, religious or educational trusts or institutions;
- KP Hindu Disposition of Property Bill, 2014 is under process in the Provincial Assembly for legislation. The Bill aims to remove certain existing disabilities in respect of the power of disposition of property by Hindus for the benefit of persons not in existence at the date of such disposition in the Province of the Khyber Pakhtunkhwa;

² PLD Cr LJ 1133 (Lahore 2018).

³ PLD 2019 Supreme Court 318.

⁴ 2018 YLR 2350.

- The textbooks for Grade I-XII have been developed to ensure that the content is inclusive and is free from religious, sectarian, ethnic, regional, cultural, occupational and socio-economic biases and that the text promotes harmony and peaceful co-existence through respect of diversity and tolerance;
- Commissioners and Police formations have been directed to exhibit zero tolerance to hate speeches and material.

Punjab

- Sensitization of public officials on issues of religious rights and freedom through interfaith harmony seminars;
- Curriculum in Punjab is being reviewed and revised systematically by making it coherent with aim of social and interfaith harmony;
- Government has forfeited 67 Publications and declared them as hate material;
- Punjab school Education Department has introduced a supplementary study material that has been published and disseminated to students titled “Lets study together” to eliminate elements of discrimination for religious minorities;
- In previous fiscal year, PKR 1.05 Billion were allocated for Christmas Grant for Poor Christian Families, poor Hindu families, marriages of Hindu community, and celebration of religious days of Minorities;
- The Government of Punjab has imposed a ban on hate material under section 99-A of CrPC;
- Punjab Sound Systems (Regulation) Act, 2015 is being implemented strictly (see Annex B for data on FIRs and convictions for the crime of hate speech in Punjab);
- Punjab Vigilance Committee Act, 2016 provides for the establishment of vigilance committees at district and provincial level. These committees are mandated to report any unlawful activity being carried out or being planned with respect to incitement for violence;
- A detailed security plan is being implemented in Punjab for protection of the places of worship in Punjab. All religious festivals and congregational prayers are given protection by the Punjab Police in addition to the private security of the religious institutions;
- Punjab Security of Vulnerable Establishment Act, 2015 provides security advisory committees at the district level to identify vulnerable establishments in the province, worship places and any other religious places that may fall under the definition of vulnerable establishments. This act is aimed at the protection of vulnerable establishments through various measures including vigilance and visits by senior officials of concerned Police Stations;
- The Minority Advisory Council, Punjab (MACP) has been established with Muslim and non-Muslim leadership to address issues of discrimination on the basis of religion. The recommendations of MACP are implemented on priority basis.

Sindh

- Sindh Assembly has passed the resolution regarding inclusion of Religious textbooks of Hindus in curriculum of Hindu minorities;
- Minorities Affairs Department of Sindh has constituted two Committees at Provincial and District Levels which are headed by Minister for Minority Affairs to safeguard the rights of minorities;
- CCTV cameras have been installed in all sensitive places and worship places of minorities;
- Government of Sindh has initiated the process of including religious text based on Bhagwat Geeta for Hindu students in Sindh;

- The Sindh Security of Vulnerable Establishment Bill, 2015 has been promulgated by the Provincial Assembly to identify, categorize, notify and provide full-fledged security to religious sensitive establishments and places;
- The Sindh Sound System (Regulation) Ordinance, 2015 was also promulgated in accordance with the powers conferred upon the Governor for the prevention of incitement to violence and violence against persons based on religion or belief.

Balochistan

- The Home and Tribal Affairs Department provides security to the minorities in Balochistan and their religious places especially on occasions including worship days like every Sunday at the Church premises; religious events like Holy, Easter, Christmas etc.; festivals and functions; and on arrival of respective Religious leaders of minorities;
- Cases involving hate crimes and hate speech are investigated and pursued independently.

Recommendation Contained in Paragraph 18

39. Education is an effective mean to promote interfaith harmony, social cohesion, resilience and equity in society. To ensure that school curricula and textbooks promote understanding, tolerance and friendship among different ethnic and religious groups, necessary steps are being taken to reform the curriculum and remove any hate speech or stereotyping of minorities. National Curriculum Council is reviewing the curriculum to include cross cutting themes such as tolerance, human rights, civic education and democracy. Inclusion of human rights and peace education is being considered by National Curriculum Council.

40. At higher education level, topics of human rights have been covered in many disciplines i.e. Law, Islamic Studies, Social Work, Criminology and Sociology, while in some undergraduate programmes an independent course of Human Rights is also offered as a general or elective subject. Various themes and student learning outcomes in core subjects aim to strengthen respect for human rights and fundamental freedoms in the existing curriculum, however, a comprehensive and updated national curriculum is also being developed at the Federal level.

41. Ministry of Federal Education and Professional Training is working to include human rights and civic education in the curriculum of primary, secondary and higher secondary school levels with particular focus on respect and promotion of interfaith dialogue and harmony. Capital Curriculum and Textbook Wing, CADD has conveyed that various curricula include direct and indirect references to human rights and peace education in order to promote interfaith harmony and tolerance.

42. During 2015–2018, the Ministry of Human Rights also initiated Public Awareness Campaign on Human Rights Education and Sensitization under Action Plan for Human Rights, through about 80 seminars held in public sector education institutions as well as advertisements in print and electronic media. The campaign's target audience was the general public, civil society, researchers, academia, students, government functionaries and different segments of society. The campaign focused on the promotion of Human Rights' values for creating a culture of tolerance and respect. Furthermore, the Federal Minister for Human Rights has been personally visiting schools to raise awareness on human rights, especially child rights. Ministry of Human Rights has also translated all UN treaties ratified by Pakistan into Urdu.

43. Through the introduction of the National Education Assessment System (NEAS) in 2005, it has become possible to assess quality of educational outcomes at school level on a scientific and quantitative basis. Various initiatives are also being undertaken at the provincial levels. As mentioned earlier, the Punjab School Education Department has introduced a supplementary study material that has been published to eliminate elements of discrimination. Curriculum has also been revised to make it more supportive of interfaith and social harmony. Human Rights and Minority Affairs Department has been appointed as a member of the Punjab Curriculum and Textbook Board to review curriculum with respect to

non-discrimination towards religious minorities and to ensure human rights awareness and interfaith harmony.

44. General Knowledge is being introduced as an integrated subject for Grades I-II (Scheme of Studies-2019). It comprises concepts from Islamiyat/Ethics and Morality, Science and Social Studies. The curriculum of General Knowledge I-II has been developed to promote life-wide learning and the spirit of living together, to promote religious and social tolerance. Students Learning Outcomes of General Knowledge for Grades I-II curriculum that promote the culture of religious and social tolerance include the ability to respect others including other religions, places of worship and all Holy Books; learning lessons of inclusion and avoiding exclusionary behaviour; importance of honesty and tolerance; identifying and recognizing other cultural and religious festivals like Diwali, Holi, Easter, Christmas and Baisakhi; the importance of sharing, cooperation and helping others.

45. As mentioned earlier, Sindh Assembly has passed a resolution regarding inclusion of religious textbooks of Hindus in curriculum of Hindu minorities. The Sindh School Education Standards and Curriculum Act, 2014 has been promulgated. This law aims to enable all children to have a command of relevant knowledge, skills and human rights values necessary to reach their full potential. Sindh Education Department has already modified the curriculum and textbooks to ensure that they do not reflect discrimination against any religious community and promote interfaith harmony.

46. School Education and Literacy Department, Sindh has worked on thematic areas of policy and legal reforms, key human rights priorities and cross cutting interventions for the promotion and protection of human rights and inclusion of human rights and civic education in the curriculum of primary, secondary and higher secondary school with focus on respect and promotion of interfaith harmony.

47. The textual material on Human Rights is included in the curriculum at the appropriate stage in the textbooks of General Knowledge class I-III, social studies for class IV-VII and civics for Class IX-X. Sindh School Education Standards Act calls for interfaith harmony and religious tolerance and focuses on creating a peaceful environment free from all religious biases and discrimination. School textbooks also contain material regarding interfaith harmony and tolerance. A committee has been established to conduct a third-party review of textbooks and if any content that reinforces any negative stereotypes, it will be ratified. Additionally, information regarding religious festivals and holy places of other religions is included in textbooks of Ethics, Sindhi, Social Studies and Urdu. The textual material regarding interfaith harmony and tolerance is available in the various textbooks developed by Sindh Textbook Board. There is a representation from minority groups in committee that addresses the issues related to minority rights in curriculum and textbooks. The topics include introduction to other religion such as Sikh Religions, Baba Guru Nanak and his teachings, Christmas, personalities including Hazrat Bibi Maryam (A.S.), King Ashoka, St. Thomas Aquinas etc.

48. In KP, the existing textbooks for Grade I-XII are already in compliance with the culture and values i.e. the content (text and illustrations) is inclusive and is free from religious, sectarian, ethnic, regional, cultural, occupational and socio-economic biases; text promotes harmony and peaceful co-existence through respect of diversity and tolerance; content reflects democratic values, ethics and values of all segments of society and other societies. A number of themes has been introduced in various subjects to strengthen the respect for human rights and fundamental freedoms in the existing curriculum.

49. In Balochistan, Bureau of Curriculum (BoC) and Balochistan Textbook Board (BTBB) are working on identification and incorporation of Life Skills Based Education (LSBE) concepts including human rights in the curricula and textbooks. Secondary Education Department has institutionalized Standard Operating Procedures (SOPs) for textbooks development/review and the Education Management Information System (EMIS) has been established that covers public, private schools and madrassas across the province. The EMIS maintains profiles of schools/madrassas, availability of human resources at the vicinity and the strength of the students. With the support of UNICEF and Balochistan Rural Support Program (BRSP), Secondary Education Department Balochistan has established Alternate Learning Programs (ALP) Centers in 196 madrassas of the province. The main objective of

the centers is to introduce modern subjects in the curriculum of madrassas. Moreover, after an extensive consultative engagement with the key stakeholders, the Secondary Education Department has drafted a bill for the registration and mainstreaming of madrassas that is in process and has been presented to the provincial Cabinet for subsequent approval and enactment.

50. In May 2019, an expert group on *madaris* reform under the National Action Plan (NAP) has been formed. The expert group will provide an action plan with timeline, responsibilities, institutional mechanisms, implementation strategy and financial implication. The *maradris* curriculum and reforms shall be processed as and when the expert group finalizes an action plan with the time line notified by the Government after consultation with all stakeholders.

51. The policy of *Madaris* reform has three main components: registration of *Madaris*; curriculum reform; and audit of the finances. The exercise of reforming *Madaris* began with data available on *Madrassahs*, which reflected significant discrepancy in the number of *Madrassahs* in the country as reported by various agencies. The policy framework is to pursue, register, reform, mainstream and maintain sustained oversight. To address the issue of variation in reported data, the provincial governments and intelligence agencies embarked upon mapping of *Madaris* in the country. Geo-tagging and mapping of *madaris* had also been initiated wherein Punjab completed mapping of 13,782 (100%) *madaris*, ICT has also completed mapping 354 (100%) *madaris*, while mapping of *madaris* is under process in Sindh (80%), KP (75%), Balochistan (60%) and FATA (85%).

52. Furthermore, in order to standardize data collection and registration process of *Madaris*, NACTA developed *Madaris* data and registration with the objective that only duly registered *madaris* be allowed to operate. These registration and data forms were finalized after being shared with Provincial Governments for soliciting their views/comments. Registration form includes 77 variables. The progress report on *Madaris* registration is given in Annex C.

53. Various sources of funding of *Madrassas* include charities, donations, collection and sale of animal hides, and *zakat* funds from the government. The Ministry on Religious Affairs and Interfaith Harmony releases funds to *madaris* under the *Madaris* Reform Scheme for payment of salaries of teachers and the relevant authorities ensure that *madaris* are teaching formal subjects in addition to religious subjects. To effectively monitor the source of funding of *Madaris*, data and registration forms require the *madaris* to submit their statement of accounts on an annual basis to a designated authority at district level for audit purposes. The government has approved '*Madaris* Reforms' to streamline religious seminaries and keep a check on their finances in line with the Financial Action Task Force (FATF) objectives. All the seminaries have to register themselves with the Ministry of Federal Education and Professional Training and the Ministry is mandated to facilitate the said seminaries in the opening of bank accounts at the designated branches. If the seminaries fail to comply with the terms of conditions of the ministry, their registration will be cancelled and if they fail to register with the ministry, they will be sealed.

54. Recently, for the registration of religious seminaries the government has appointed officers of Basic Education Community Schools and National Commission for Human Development in 16 regional offices of the Directorate General of Religious Education (DGRE). The Ministry of Federal Education and Professional Training has allocated Rs. 580 million for DGRE and its 16 regional offices. The government will soon announce a deadline for the registration of seminaries with the DGRE. Seminaries found to be promoting hatred and sectarianism will not to be allowed to operate.

55. The Education Ministry will also help seminary students appear for examinations in compulsory subjects which would be conducted by the Federal Board of Intermediate and Secondary Education (FBISE), Islamabad, so that they can also get a chance to compete with students of other schools and colleges. The registered seminaries will be allowed to enroll foreign students and the Education Ministry will facilitate them in obtaining Pakistani visas for a maximum period of nine years in line with prevalent rules and regulations.

Recommendation Contained in Paragraph 20

56. With respect to the Hazara communities, the Government has held high-level meetings with all relevant stakeholders in order to provide protection to this community. In January 2021, PKR 2.5 million was paid to each victim family as compensation for the killing of 11 coal miners in Mach, Balochistan. Judicial probes are carried out immediately as a matter of state policy if any member of religious minority has his or her rights infringed. Moreover, special measures taken by the Home Department of Balochistan for the Hazara community include the deployment of 19 platoons of security personnel for the security of Hazara community living in Marri Abad and Hazara town, establishment of permanent check posts at the entry/exit points of areas where Hazara community lives, permanent police escorting of Hazara shopkeepers proceeding to markets for purchase of goods/services etc.

57. Under the NAP, the Government of Pakistan has worked extensively in this regard. In recent years the National Counter Extremism Policy Guidelines (NCEPG), formulated through multidisciplinary and cross functional process, were published and disseminated to all the stakeholders including provincial governments. To facilitate the implementation of these NCEPG measures, an implementation mechanism has also been devised suggesting key partners/agencies along with estimated cost against each intervention. In Geographical Territory of Pakistan, there is no segregation on the basis of caste colour, creed, and culture etc. However, FATA was previously segregated and divided among seven Agencies and six FRs on the basis of, customs and geographical location. They were administrated through FCR and had their own system of Law & Justice. After the mainstreaming of FATA all the laws are being extended to these merged areas and now the citizen of merged areas are enjoying equal rights as per with citizens of other areas.

58. In Pakistan, an estimated 60 percent of the national population consists of youth. To counter on-campus extremism in universities across Pakistan, National Counter Terrorism Authority (NACTA) has taken various initiatives to engage faculty members and students from universities across Pakistan for developing a national strategy to counter on-campus extremism under its mandate to carry out research on topics relevant to terrorism and extremism under Section 4 (d) of the NACTA Act, 2013. This undertaking is aimed to substantiate efforts flowing from the National Internal Security Policy (NISP) framework devised by the Ministry of Interior (MOI) to achieve peace and security in Pakistan.

59. Sindh is home to various minority communities of Pakistan. In order to protect places of worship and religious sites, Auqaf Department (which deals with Waqf Properties, Mosques, shrines and other religious institutions) has allocated a substantial budget in millions of rupees every year for the installation of security gadgets (walk-through gates, CCTV Cameras, metal detectors and other security related gadgets) in minority community worship places etc. All Divisional Commissioners and all Deputy Inspector Generals are directed to convey the security needs of worship places of the minorities in their areas of jurisdiction. As mentioned above, the Sindh Security of Vulnerable Establishment Bill, 2015 promulgated by the Provincial Assembly, aims to identify, categorize, notify and provide full-fledged security to religious/sensitive establishments and places. In order to protect and safeguard religious minorities, the Minorities Affairs Department of Sindh has constituted two Committees at Provincial and District Level.

60. Government of Punjab has dedicated generous resources to the protection and welfare of minority communities every year. In this regard, during Financial Year 2017–18, PKR 1.05 Billion were allocated for Christmas Grant for poor Christian families, poor Hindu families, marriages of Hindu community, celebration of religious days of Minorities and Grant in Aid to Missionary Hospitals for Provision of Medical Equipment. Punjab Police has reserved 6249 Personnel solely for security of Worship Places of Minorities who have especially been trained to overcome any untoward situation as such compliance of this direction also stood implemented.

61. In case of any incident of violence against any community, including the Ahmadi and Hazara community, action is taken by the law enforcement institutions under the law of land. The status of Ahmadis has been determined by the Constitution of Pakistan. In case of any incidence of violence against an Ahmadi, equal protection of law is available. There is a zero-tolerance policy in curbing the menace of terrorism especially attacks against minorities. All

cases or incidents of violence against Ahmadis, Hazaras or other minorities are being investigated and perpetrators are held accountable.

Recommendation Contained in Paragraph 22

62. Application of Blasphemy Law in the country is within the parameters of international human rights standards. The State is fully committed to prevent misuse or abuse of the blasphemy law. Blasphemy law in Pakistan is non-discriminatory in nature as it deals with offences against all religions and applies to Muslims and non-Muslims alike. Statistical data reveals that most of the cases under this law are registered against Muslims. Independent judiciary, free media and vibrant civil society provide additional safeguards against misuse of the blasphemy law.

63. In 2015, while deciding a case, the Supreme Court remarked blasphemy as “abhorrent and immoral”. The judgment further said, “but at the same time a false allegation regarding commission of such an offence is equally detestable besides being culpable.” On 29 January 2019, Supreme Court of Pakistan upheld the acquittal on blasphemy charges handed down to Christian woman Asia Bibi. In the landmark decision, judges comprehensively referred to the relevant provisions of the law (Articles 4, 37 (d), 175(2) of the Constitution and section 28 of the CrPC) to ascertain authority of the State to decide blasphemy cases. The Supreme Court further referred to its judgment in *Malik Muhammad Mumtaz Qadri v the State* to clarify that the State is to ensure that innocent persons are not tried on false blasphemy charges. Therefore, these judgments reinforce the belief that it is no justification for a civilian – or any individual not in the position of authority – to decide to take the law into his/her own hands and punish or kill the alleged offender.

64. Generally, the blasphemy law is misunderstood that it only protects Muslims, but it equally protects all Pakistani communities against desecration of their places of worship including Churches, *Imam bargahs* (Congregation Halls for Shiite Muslims), *Gurdawaras* (places of worship for Sikhs) and mosques.

65. To protect the rights of citizens in Pakistan in respect of blasphemy laws, the procedure has been amended and the preliminary inquiry in blasphemy cases is now carried out by the District Police Officer. The Government has notified the National Commission for Minorities with extended terms of references. The Ministry of Religious Affairs and Interfaith Harmony is also preparing a National Interfaith Harmony Policy in consultation with stakeholders. Human Rights Wing of Ministry of Law and Justice is giving special attention to the protection of rights of minorities in National Action Plan to improve Human Rights situation in Pakistan.

66. Due to strict vigilance by the State, no one was killed in Punjab during the last year on charges of blasphemy. In Balochistan, no case was registered on accusation of blasphemy. Accordingly, in Sindh, the second largest province of Pakistan, during the last 5 years only 11 cases were registered. In KP, only 19 cases were registered and most of them are against Muslims. Moreover, since the inception of Pakistan, not a single person has been executed so far on the allegations of blasphemy.

67. The consolidated report in respect of Blasphemy Laws for the year, 2020 is as below:

| <i>S No</i> | <i>Religion</i> | <i>Total cases registered</i> | <i>Convicted</i> | <i>Acquitted</i> |
|-------------|-----------------|-------------------------------|------------------|------------------|
| | 295 A PPC | 7 | 0 | 0 |
| | 295 B PPC | 7 | 0 | 0 |
| | 295 C PPC | 2 | 0 | 0 |
| | 298 A PPC | 4 | 0 | 0 |
| | 298 B PPC | 0 | 0 | 0 |
| | 298 C PPC | 1 | 0 | 0 |

Recommendation Contained in Paragraph 24

68. To ensure the provision of legal aid to indigent litigants, the National Assembly of Pakistan has promulgated the Legal Aid and Justice Authority Ordinance, 2019. Moreover, in pursuance of the Ordinance, the Legal Aid and Justice Authority Fund shall be utilized by the Authority to provide legal and financial assistance and perform its functions. The Fund shall be financed from grants from the government; assistance from local, provincial, national and international authorities and agencies; contributions from the statutory bodies, corporations' private organizations and individuals' income and earnings from moveable and immovable properties acquired or leased by the Authority; any income from the investment of the amount credited to the Fund; and all sums payable to the Authority that may be recovered as arrears of land revenue.

69. The Government of Pakistan has established a statutory endowment fund called the Access to Justice Development Fund (AJDF) to address the issue of chronic budgetary constraints facing the judicial and legal sectors in Pakistan and to support legal and judicial reforms in the country. One of the objectives of the AJDF is legal empowerment by providing funding under the Legal Empowerment Fund Window, a share of which is utilized for free legal aid/assistance to deserving litigants who have legitimate claims but are unable to pursue them in the court of law due to lack of financial resources. The funds are provided through District Legal Empowerment Committees (DLEC) constituted under the DLEC (Constitution and Functions) Rules, 2011. For this purpose, a specified amount is released in favour of the DLECs from the Legal Empowerment Fund Window. The DLECs administer and manage funds under the chairmanship of District and Sessions Judge in each District. The procedure for grant of legal assistance is simple, fair and non-discriminatory – any deserving litigant may submit a request in writing addressed to the Chairperson of the relevant DLEC, which considers the requests on a case-to-case basis keeping in view the financial status of the applicant and the nature of the case. Till date, an amount of PKR 60 Million has been released to DLECs established in 114 Districts across the country, as a result of which legal assistance has been granted to 2832 deserving litigants across all four provinces and the Federal Capital.

70. The Hon'ble Chief Justice of Pakistan/Chairman, Law and Justice Commission of Pakistan has directed the AJDF to raise awareness and inform deserving litigants about the availability of legal aid so that they are able to pursue their cases before courts of law. The Secretariat, therefore, holds meetings of the DLECs across the country with a view to improve their efficiency and effectiveness and enhance their accessibility for needy citizens, particularly those who are compelled to forgo their legal rights and remedies for want of financial resources.

71. In addition, the Pakistan Bar Council Free Legal Aid Rules, 1999 framed under the Legal Practitioners and Bar Councils Act, 1973 provide for free legal aid to indigent litigants. Pursuant to these rules, free legal aid committees have been constituted at the federal, provincial and district levels. Under the rules, any person desirous of free legal aid may submit an application to the appropriate Committee which is then examined and processed. The funds are generated through allocation by the Pakistan Bar Council, grants sanctioned by any Government, Local or other body or authority and voluntary contributions made by the Bar Councils, Bar Associations, Advocates, any other Institution, Foundation, Trust, Organization or an individual. A list of legal practitioners is maintained, who are then appointed, from case- to-case basis, and paid appropriate fee with a fixed ceiling for their professional services. The Ministry of Human Rights, through its 24-hour helpline 1099 also provides referral and legal aid to victims of human rights violations. Since its inception, the call center has received over 400,000 calls a month and provided service to over 33,000 persons.

72. The legal fraternity is the integral part of the judicial system and the Higher Education Commission of Pakistan (HEC) has proposed indigenous and foreign scholarships to competent young lawyers of Baluchistan that will help in strengthening the overall judicial system in the country.

73. Furthermore, under the project of the Legal Empowerment of People Programme in Sindh (LEPPS), The Law Department of Sindh Government has launched a toll-free helpline service called the Sindh Legal Advisory Call Centre (SLACC). SLACC provides free legal

advice to citizens for any legal matter or illegality occurring whether civil, criminal, public service on a toll-free number (080070806) managed directly by High Court Advocates. The Commission established under the Sindh Protection of Human Rights Act, 2011 issues directions to the police to lodge FIRs and the complainant bears no charges or fees. The Commission is also connected with the police department through an online portal which runs 24/7 and is used by the Commission to provide legal aid.

74. The Punjab Government has passed The Punjab Legal Aid Act, 2018. Under the Act, the Government has established a legal aid agency to provide legal aid services across Punjab to non-affording accused in criminal cases and extending of the facility to poor accused persons facing civil suits. In addition, the Punjab Prosecution Department has established 19 legal aid centers for women in Punjab. These centers provide free legal advice to women and so far, 84 public prosecutors have been nominated by the Punjab Prosecution Department. The Punjab Prosecution Department has also established a free legal program for those who cannot afford defense counsel. The Prosecutor General, Punjab and all District Coordination Officers have the power to disburse counsel fee to lawyers appointed for such accused persons. A detailed procedure has been notified by the Punjab Prosecution Department for appointment of defense counsel and disbursement of counsel fee.

75. The KP cabinet has approved the Legal Aid Bill, 2019. A legal aid agency will be set up in the province for the implementation of the bill. The agency will provide free legal aid in criminal and civil cases and closely work on cases relating to women's inheritance.

Recommendation Contained in Paragraph 26

76. For a detailed report on the extensive legislative efforts and policies of the state to eliminate discrimination against women and promote gender equality in the country, please refer to the fifth periodic CEDAW Report submitted by Pakistan.⁵

77. In the contemporary world, the participation of women in every aspect of work is essential for the positive development and prosperity of the society. Women constitute half of Pakistan's 207 million population (according to the 2017 population and housing census) and women's contribution has been remarkable in every facet of life. To secure the public and private space for women, the Government of Pakistan has undertaken various legislative and policy measures that protect the rights of women and ensure the elimination of any harmful practices and systematic discrimination against women. At the Federal Level, the Criminal Law (Amendment) (Offences in the Name or on Pretext of Honor) Act, 2016 was passed to protect women from harmful practices such as honor killing and acid throwing. Several additional laws have been enacted for eradicating harmful practices against women, including the Offences Relating to Rape Act, 2016; Prevention of Anti Women Practices Act, 2011; and Child Marriage Restraint Act, 2013. The MoHR has drafted the Domestic Violence (Prevention and Protection) Bill, 2020 in consultation with stakeholders. The Standing committee on Human Rights has recommended that the Bill as introduced may be passed by National Assembly as a result of these measures, the incidence of violence has significantly decreased – e.g. there has been a 50% decline in the reported cases of acid crimes since 2014.

78. In addition, Government of Pakistan believes in an inclusive society and to ensure that the Government of Pakistan has not only taken various initiatives for women but also for the transgender community. In May 2018, Pakistan passed the Transgender Persons (Protection of Rights) Act 2018 to ensure the protection of transgender persons from sexual and physical assault and harassment and guarantee their gender identity and political rights. According to the Act, kidnapping, abducting or inducing to have illicit intercourse shall be punished with life imprisonment and fine. The Act also protects transgender persons from being deprived from inheriting property.⁶ The Act, in its preamble, makes clear that the intent of the legislation is to provide for protection, relief and rehabilitation of rights of transgender persons and their welfare.

⁵ https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/PAK/CEDAW_C_PAK_5_5992_E.pdf.

⁶ "Senate passes bill to ensure rights of transgender persons," Express Tribune, last modified March 7, 2018.

79. At the provincial level, legislative measures have been taken by all provinces to eliminate harmful practices and ensure the protection of women. Baluchistan promulgated pro-women laws, policies and strategies to combat and eradicate harmful practices against women and girls including the Baluchistan Domestic Violence (Prevention and Protection) Act, 2014; the Baluchistan Protection against Harassment of Women at Workplace Act, 2016; and the Baluchistan Commission on The Status of Women Act, 2017. In Baluchistan, under the Baluchistan Domestic Violence (Prevention and Protection) Act, 2014, Protection Committees have been formed to spread awareness amongst women about their rights and assist victims of violence. The Women Development Department, Baluchistan has conducted awareness sessions on gender-based violence in different communities to educate women on their rights and remedies available to them to redress their grievances.

80. To eradicate harmful practices in KP, various laws have been passed including Domestic Violence Bill 2019; Acid and Burn crime Bill (in-progress); Khyber Pakhtunkhwa Child Marriages Restraint Bill; Khyber Pakhtunkhwa Elimination of Custom of Ghag⁷ Act, 2013 and the Enforcement of Women Property Right Act, 2019 and conducted sessions on gender-based violence response and prevention.

81. In Sindh, the Acid Crimes Bill, 2018 has been promulgated along with the Sindh Child Marriage Restraint Act, 2013; the Sindh Hindu Marriage Act, 2016; the Sindh Domestic Violence (Prevention and Protection) Act 2013; and the Protection Against Harassment Of Women At Workplace Act, 2016. The Women Development Department, Sindh has carried out various awareness sessions to educate and inform people about the legislative framework and the rights of women protected by these laws. Women complaint helpline (1094) has been installed in the Women's Development Department to facilitate women in their daily life issues. In addition, for the welfare of prisoners, Sindh Government has established Legal Aid service to all the female prisoners in Sindh. In 2019, Sindh Women's Economic Empowerment Council and Network has been launched in collaboration with Home Neta network that raises awareness about the working conditions of female home-based workers and other stakeholders.

82. The Government of Punjab has brought amendments in the Pakistan Penal Code, 1860 on crime of acid throwing by adding section 336-A and 336-B– punishment of life imprisonment or imprisonment up to 14 years and Rs.1.00 Million fine. Moreover, Provincial and District Acid Burn Survivors Boards have been established for medical and psychological care of the victims. To regulate sale, purchase and storage of acids, the Local Government has notified byelaws for strict compliance at the district level.

83. The Punjab Protection of Women against Violence Act, 2016 aims to protect women from instances of domestic, sexual, psychological and economic abuse, stalking and cybercrime, perpetrated by their husband(s) and/or relatives. One model Violence Against Women Centre (VAWC) has been established in Multan. The Provincial Assembly also passed the Punjab Women Protection Authority Act, 2017 to facilitate, ensure and oversee institutional measures stipulated under the Punjab Protection of Women against Violence Act, 2016 under which the court may pass interim protection, residence or monetary orders in favor of the victims.

84. In 2017, the Lahore High Court inaugurated Pakistan's first Gender Based Violence Court to streamline cases involving female survivors of VAW, provide extraordinary measures to support survivors, ensure speedy and confidential trials, reduce harassment and provide security against reprisals to survivors – 123 cases involving VAW have been transferred to the Special Court. In Sindh, the Domestic Violence (Protection and Prevention) Act has been passed in 2013. As mentioned above, the Public Prosecution Department has established 19 Legal Advice Centres for women in Punjab. These centres provide free legal advice to women in their legal and court matters. So far 84 public prosecutors (45 male and 39 female) have been nominated by the Public Prosecution Department, Punjab for legal advice in 36 districts of Punjab. Under Punjab Women Empowerment Initiatives, out of 711

⁷ "Ghag" means a custom, usage, tradition or practice whereby a person forcibly demands or claims the hand of a woman, without her own or her parents' or wali's will and free consent, by making an open declaration either by words spoken or written or by visible representation or by other means.

Police Stations, helpdesks in 696 Police Stations have been established for Women across Punjab to encourage women to report crimes and improve the sensitivity of police officials towards women.

85. Implementation of the Prevention of Anti-Women Practices Act 2011 (Criminal Law (Third Amendment) Act 2011), is closely monitored by the Punjab Police and the Punjab Women' Helpline. This provides an avenue to women in addition to the formal crime reporting and judicial mechanisms to report and redress their grievances. The helpline received 167 inquiries about forced marriage and 215 about child marriage, while 29 inquiries received were about other harmful practices against women. More crimes have certainly been reported across Punjab in the last 3 years, which could be attributed to greater awareness and accountability through these penal provisions.

86. To improve access to justice for women, the MoHR is operating a toll-free helpline (1099) to provide free legal aid to women and anyone seeking help with respect to redressal of grievances. Ministry of Human Rights operates three funds for relief of women victims of human rights violations; the Relief and Redress Fund, the Ash and Daman Fund and the Women in Distress and Detention Fund which provide money for relief, legal aid, compensation and court fines/fees etc. Women's access to justice reforms in Sindh include legal aid and victim protection mechanisms; legal advisory services; women protection cells; women helpdesks at police stations; child protection units; awareness raising and modernisation of the Sindh police and Citizen Police Liaison Committees to improve relations between the public and the police; Alternate Dispute Resolution projects; trainings to strengthen knowledge of human rights, the rule of law and conflict-sensitivity in Sindh's security and justice sectors; and the introduction of legislation to protect women's rights.

87. An Integrated Victim Support Network exists in KP and recently a joint consultative workshop was held to improve access to justice. A helpline has been established to provide legal advice to women. The Rule of Law (RoL) Roadmap for Balochistan aims to introduce reforms in the judicial sector. The RoL Roadmap focuses on institutional development of the Rule of Law institutions, Gender and Citizens' Access to Justice. Women Development Department has notified the Technical Working Group to support the recommendations of the RoL roadmap on Gender Equality and women empowerment. Women Development Department, Balochistan in collaboration with CSOs is working on establishment of Women Protection Units, development of a helpline, rights-based services, legal aid, awareness and legislation for women rights, and mitigation of gender-based violence.

88. The Punjab Women's Toll-Free Helpline 1043 is available and working 24/7 which is managed and supervised by PCSW under the administrative control of the Women Development Department. The helpline team comprises all-women call agents, three legal advisors, supervisors and management staff to address the inquiries and complaints on various other economic and social issues regarding workplace harassment, gender discrimination, property disputes and inheritance rights, domestic violence, working women hostels, day-care centres, and quota for women in the public sector. Moreover, successful attempts by the Helpline include interventions to prevent polygamy, forced marriage, cancellation of Nikah registrar's license and ensure that police take timely action against perpetrators. The helpline, from August 2014 to November 2019 received 1,44,514 total calls, 140,941 total inquiry calls, 330,035 total calls about awareness, out of which 11,743 were about various kinds of violence against women, 11,131 about harassment issues against women, 686 about child marriages, 692 about forced marriages, 733 about rape and 530 about kidnapping cases, etc. Besides this due to awareness-raising about inheritance rights of women, PCSW Helpline received 20,581 calls related to property matters of women, out of which 14,259 matters were related to inheritance property rights of women.

89. The Family Protection and Rehabilitation Centre for Women (FPRCW) under the Ministry of Human Rights is working successfully for the rights of women and prevention of violence against women. The FPRCW provides medical aid, legal aid, counseling, community meeting, investigation of cases of violence, rehabilitation through skill training and establishing linkages with law enforcement agencies and police complaint cells. FPRCW carries out awareness raising sessions, health/HIV awareness and outreach visits in order to sensitize communities about violence against women, manifestation of inequality and violation of basic human rights. FPRCW also provides a shelter home to ensure a safe place

to stay to victims and their children. Women seek temporary accommodation in the shelter from domestic abuse, legal issues, rehabilitation, medical problems, and mental health issues. The basic needs of women and their children are met at the shelter by providing them food, clothing, medical aid, legal aid, emergency funds, childcare services, psychological counseling, vocational counseling, job counseling referral for special needs. To date, approximately 5,800 women have taken shelter at the FPRCW, 1080 have been provided legal aid and 2,666 have been given medical aid.

90. MoHR has launched a campaign to raise awareness of women's inheritance rights and the remedies available to them. The campaign was supported by the CCI. The Enforcement of Women's Property Rights Ordinance, 2019 which has been recently promulgated, addresses the grievances of women over inheritance. Punjab CSW developed advocacy material regarding awareness of pro-women laws and recent amendments about protection and promotion of women rights, including MFLO, Inheritance Property Rights of Women, Prevention against Early Age Marriage and Forced Marriage, and Registration of Birth and Deaths. Awareness sessions were conducted in Women Colleges and Universities, distributed Brochures, Hand Bills, Pamphlet, and Flexes in 36 Districts of the Punjab.

91. To raise awareness about women's rights, International Women Day, Rural Women's Day, Girl Child Day, International Human Rights Day, 16 Days of Activism against Gender Based Violence and National Working Women Day are commemorated at national level. MoHR also imparts trainings and raises awareness in local languages at schools and universities through sensitization seminars, and consultative sessions on right to inheritance, early marriage, child labour and child sexual abuse. MoHR has relied on popular media persons to act as Brand Ambassadors. For this cause the famous singer Shehzad Roy and actress Mehwish Hayat have spoken out against sexual abuse and the education of girls. To sensitize people about importance of girls' education and rights, an effective campaign was launched through truck art by the painting of trucks with strong messages for girl's education and empowerment.

92. The NCSW has launched a national campaign against Gender Based Violence by commemorating 16 Days of Activism against Gender Based Violence every year from 25th November to 10th December. The NCSW designed and executed a regular radio program campaign titled "*Mera haq aaj nahi tou kab* (my rights, if not today then when)". The weekly radio programs create awareness on the rights, roles and responsibilities of women in different spheres of their public and private lives and emphasize the importance of women participation in political and civil life. The objective of the radio program is to inform, educate and mobilize women for their legal and citizenship rights. The NCSW has also established an Inter-Provincial Women Ministerial Group (IPMG) to review and implement laws and policies relating to women's rights and to ensure their empowerment and equality.

93. To encourage reporting of cases and gathering of data in respect of crimes against women, the Gender Crime Cell at the National Police Bureau compiles statistical data on crimes against women including sexual violence, acid throwing, domestic violence, honor killing, and harassment at the workplace and law enforcement agencies use this statistical data to make relevant policies for the protection of women's rights. Relevant data is compiled from multiple sources including registered cases in police stations (FIRs), registered court cases and news reports on crimes against women. During the year 2018, a total of 14,078 cases were reported of violence against women. Out of these, 5355 cases pertained to domestic violence, 703 pertained to honor killing, 53 related to burning, 12 related to vani, 4636 related to sexual violence, and 412 related to harassment at the workplace.

94. Furthermore, the Punjab Gender Management and Information System (GMIS) gathers data for advocacy of women-centric policies, laws and programs. Gaps in implementation of CEDAW have been identified and shared with concerned departments by the Treaty Implementation Cell. The GMIS will be established soon in KP through which data will be collected throughout KP. In Sindh, consultative meetings are underway for finalization of modalities and a project will be launched soon to collect disaggregated data by age and sex. The GMIS captures information on key indicators for women, including education, health, population, inheritance, employment, violence against women, and implementation of Women Empowerment Policy which shall be used to prepare an annual gender parity report that reflects the status of women and the status of access to rights and

services. GMIS is envisioned as a computerized database of women related statistics/information organized and programmed in such a way that it produces regular analysis and reports on the status of women for the decision makers at the provincial and district levels. Geo-spatial mapping of data will permit visual depiction of the status of women to decision makers in the province and in the districts.

Recommendation Contained in Paragraph 28

95. The Government of Pakistan has launched the Ehsas initiative aimed at developing social protection measures for workers in the informal sector. The government also plans to extend registration of social insurance schemes like the Employees Old-Age Benefits Institution (EOBI) to such workers. Pakistan already has a voluntary pension scheme and EOBI has been allowing self-registration since a decade. Moreover, the inspection teams of Labour Department are inspecting various industrial and commercial establishments to ensure implementation of provincial labour laws throughout the Khyber Pakhtunkhwa. As the labour laws are discrimination free; those breaching the law are being dealt with an iron hand. Besides Khyber Pakhtunkhwa Commission on the Status of Women is working very closely with labour and Population Welfare Department to review labour and population welfare policies in Khyber Pakhtunkhwa. It is worth mentioning that Khyber Pakhtunkhwa Reproductive Health Care Rights Act has also been promulgated in 2020, through which discrimination against minorities will be eliminated in areas of access to Reproductive Health Care. Moreover, Khyber Pakhtunkhwa Factories Act also eliminates discrimination and exploitation of all workers particularly the minorities.

96. For the elimination of bonded labour, labour department of Khyber Pakhtunkhwa has established a cell called ‘the Resource cell and reporting system “RC&RS” via an ADP Scheme in the Directorate of Labour worth Rs. 25.197 million. It was highly desirable for the directorate for efficient and effective discharge of functions. With this project, the department established a database in the directorate of labour. It installed a system of monitoring for implementation of labour laws. With this project department will be able to gather, compile, analyze and disseminate segregated data on various subjects i-e child and bonded labour issues in the province.

97. In Baluchistan, the Bonded Labour System (Abolition) Act, 1992 & Rules, 1995 are being in force in the Baluchistan province; they are implemented in the workplace through regular labour inspection, and the reports of the inspections are duly submitted to the chief inspector of Factories (central Authority). Apart from this the Department is in the process of Registering the Brick Kiln sector. During this process, the labour inspection is also carried out, and the labourers are contacted in person and are asked about work bondage. So far, no case has been reported. The Current status of the registration is as under:

| | |
|--------------------------------------|------|
| Number of Brick Kilns Registered | 34 |
| No of workers (Man) | 776 |
| No of workers (Women) | 48 |
| No of workers (Children) | 0 |
| Number of Brick Kilns Not Registered | 148 |
| No of workers (Man) | 9954 |
| No of workers (Women) | 116 |
| No of workers (Children) | 0 |

98. The Baluchistan Bonded Labor System (Abolition) Bill, 2021 is on the provincial Assembly Floor; the fines have been increased in the Bill with imprisonment. Further, the labor inspection system is being strengthened; monthly inspection reports are being regularly submitted, and monthly Targets for inspection are set for all inspectors to keep the inspections progressive.

99. The Constitution of Pakistan (Article 11(3) and 37(e) prohibits employment of children below 14 years in factories, mines or other hazardous occupations. With the addition of Article 25-A in the Constitution in 2010 which obligates the State to provide free and compulsory education to all children of the age of 5 to 16 years, the minimum age for

admission to full time employment is implied at 16 years. Further, labor laws like Factories Act, Mines Act, Shops and Establishment Ordinance etc. prohibit the employment of children in different hazardous situations. By virtue of the Criminal Law (Second Amendment) Act, 2016, Section 328-A and 369-A criminalizes cruelty to child and trafficking in human beings respectively. At ICT level, Child Protection Institute is being established under the ICT Child Protection Act, 2018 to provide care and protection services to the vulnerable children including victims of child labor and exploitation.

100. The Bonded Labor System (Abolition) Act, 1992 prohibits bonded labor and Vigilance Committees have been established under the Act in accordance with the directive of the Supreme Court. The Punjab Bonded Labor System (Abolition) Act 2012 (Amended in 2019, thereby increasing the punishment to a person employing bonded labor), the Sind Bonded Labor System (Abolition) Act 2015, and the Khyber Pakhtunkhwa Bonded Labor System (Abolition) Act 2015 have been enacted at the provincial level and the Baluchistan Bonded Labor System (Abolition) Bill has been vetted and is pending approval. In Punjab, where bonded labor is most prevalent, the Punjab Prohibition of Child Labor at Brick Kilns Ordinance 2016 also prohibits the employment of anyone younger than 15 years old at brick kilns. The District Vigilance Committees (DVCs) have been formed in each district of the province. The meetings of DVCs are regularly held under the district supervision of the respective District Administration. In addition, a provincial Vigilance Committee (PVC) has been constituted under the chairmanship of Minister for Labour and HR, Punjab. The mandate of the PVC is to review the implementation of the law and action plan relating to abolition of bonded or forced labor, rehabilitation of freed bonded labor and to monitor the working/functioning of the DVCs. Complaint Cells have been established to receive complaints of bonded labour in the field offices throughout the province. In Baluchistan, the Baluchistan Bonded Labour System (Abolition) Bill 2019 has been vetted by the Law Department and in the process of approval from the Provincial Cabinet. The Government of Baluchistan is in the process of forming an Authority of Baluchistan Social Protection and Poverty Alleviation that aims to provide social security to children up to the age of 16 in bonded labour.

101. The Punjab Bonded Labour System (Abolition) Act, 1992 has been amended to ensure the effective implementation of the Act by appointing an adequate number of inspectors, revitalizing DVCs, notifying appellate authorities, enhancing penalties for perpetrators and emphasizing the pivotal role of authorized officers. Relevant amendments have been made to combat child trafficking for illicit purposes like pornography with enhanced penalties for violators and perpetrators. Furthermore, DVCs have been revitalized as meetings are held regularly under the supervision of District Commissioners on issues pertaining to child labour, bonded labour, forced labour, habeas corpus petitions and the procedure for lodging of bonded labour cases, if any, are thoroughly discussed and an implementation strategy is finalized. During January 2019 to October 2019 alone, 201 DVCs meetings were held throughout Punjab which shows the efficient functioning of DVCs.

102. In respect of the capacity development of labour inspectors, two state-of-the-art training centers namely the Industrial Relations Institute (IRI) and the Saeed-Ahmed Awan Centre for the Improvement of Working Conditions and Environment (SAA-CIWCE) are performing their duties efficiently and quality training is being imparted to all relevant personnel. In addition, the Department has also imparted numerous trainings (“Training of Inspectors on Effective Labour Inspection”) to its field formations in coordination with the ILO under the project titled as “Strengthening Labour Inspections System for Promotion of Labour Standards and Ensuring Workplace Compliance in Pakistan Project (SLISP)”. The Department has also conducted comprehensive trainings on Labour Inspections for almost all Inspectors in affiliation with the ILO. So far, five trainings have been arranged for 153 inspectors/officers. The total number of inspectors including Labour Inspectors, Labour Officers, Assistant Directors, Deputy Directors and Directors working under the supervision of the Directorate General of Labour Welfare, Punjab is 226. In Punjab, a survey to unearth out of school children residing with their families on brick kilns has been conducted in all 36 districts and a committee has been constituted to get all the identified children enrolled in nearby schools. A helpline has set up (0800-55444) for lodging complaints about child labour at brick kilns. Data on prosecutions, inspections and fines imposed in respect of employment of children and child labour at brick kilns is attached at Annex D.

103. The Baluchistan Child Protection Act, 2016 has been enacted which provides the protection of children in Baluchistan from all forms of physical or mental violence, injury, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse and matters incidental thereto.

104. The Prohibition of Employment of Children Act has been enacted in every province in which the bonded labor of children has been prohibited and regular inspections are carried out to identify instances of child labour. A national survey on child labor was launched with support of the President of Pakistan after a gap of 23 years in all provinces for the elimination of child labour. MoHR has taken the lead for this survey in collaboration with Provincial Governments and UNICEF. The Bureau of Statistics is executing the survey and funds have been allocated through an Annual Development Programme scheme, whereas UNICEF is providing technical support. The Ministry of Human Rights has also concluded extensive research on harmonization of domestic law with our International Human Rights Obligations. The study recommends actions for legislative reformation to bring laws in conformity with the international instruments.

105. The National Commission for Justice and Peace provides legal counseling and financial assistance to vulnerable people. It has dealt with close to 800 cases and has also launched an advocacy campaign against bonded labour in brick kiln factories. The main implementation mechanism for the laws that are in place are through District and Provincial Vigilance Committees Against Bonded Labour which aim to enforce the legislation, oversee rehabilitation of victims and to aid District and Provincial administration in implementing the Act properly.

106. At the Federal level, Ministry of Overseas Pakistanis and Human Resource Development has notified a “Child Labor Cell” for the purpose of coordinating efforts on elimination of child labor and for devising a consensus based national action plan with technical assistance of the ILO Country Office. Benazir Income Support Program (BISP) is being implemented in all four provinces including the Islamabad Capital Territory for direct and speedy relief to the underprivileged segments of the society. The programme is instrumental in reducing child labour and trafficking of children. Pakistan Bait ul Mal has established 159 centers for rehabilitation of child laborers where children withdrawn from workplaces are given free education and stipend. More than 15,000 students are enrolled in the centers and more than 5,000 have passed the examination out of which 4,500 have been admitted to government schools for higher education.

107. Furthermore, the National Commission on the Rights of the Child Act, 2017 has been enacted. Under the Act, a National Commission on the Rights of the Child is being established. The Commission is mandated to oversee child rights violations, provide for examining international instruments and review of existing policies on child rights.

Recommendation Contained in Paragraph 30

108. Pakistan is a multi-religious, multi-cultural, and pluralistic society where people of different ethnic and religious backgrounds are living together, and their rights and interests are fully protected. Article 20, 21, 22 and Article 25 of the Constitution guarantee full rights to non-Muslim citizens. Article 36 of the Constitution of Pakistan uses the word “minority”, which encompasses all minorities, i.e., religious, ethnic, and linguistic. Article 36 states; “The State shall safeguard the legitimate rights and interests of minorities, including their due representation in the Federal and Provincial services.” Similarly, Article 33 of the Constitution forbids any sort of discrimination among citizens on racial, parochial, tribal or sectarian grounds. Discrimination on the basis of ethnic diversification is not a relevant phenomenon in the Pakistani society. Furthermore, there is no bar on any caste, creed, linguistic and ethnic group in respect of political participation at national, provincial or local levels. Article 37 carries a special reference to the promotion of social justice and eradication of social evils, ensuring that; “The State shall: (a) promote, with special care, the educational and economic interests of backward classes or areas.”

109. The Honourable Supreme Court of Pakistan in its landmark judgment of 19th June, 2014 as a result of suo moto to proceedings regarding an attack on a Church in Peshawar, clarified that desecration of places of worship of minorities constitutes violation of Article 20.

Generally, the Article is misunderstood that it only protects Muslims, but it equally protects all Pakistani communities against desecration of their places of worship including Churches, *Imam bargahs* (Congregation Halls for Shiite Muslims), *Gurdawaras* (places of worship for Sikhs) and mosques. The judgment of Supreme court is being implemented in true letter and spirit and Federal and provincial governments are taking all the necessary steps for protection of minorities and their freedom of religion or belief.

110. Recently, on direction of the Prime Minister of Pakistan, an expert group has been constituted with Secretary, Ministry of Human Rights as Chairperson to develop an action plan against religious prosecution. The expert group is mandated to provide an action plan with timelines and responsibilities including institutional mechanisms for implementation and monitoring along with KPIs and financing. Following extensive consultation with all stakeholders, including provincial governments and members of religious minorities, a draft action plan with clear KPIs and timelines has been submitted to Ministry of Interior for approval.

111. As mentioned above, Pakistan Penal Code defines penalties against perpetrators of actions against minorities. In addition to the PPC, Police Order, 2002 contains special provisions to ensure protection of the rights of vulnerable sections of society. Besides other functions, it binds every police officer to “assist in preventing members of public from exploitation by any person or organized groups”. These provisions serve to enhance legal protection of all sections of society.

112. The National Commission for Minorities (NCM) has been tasked to develop a National Policy on Interfaith Harmony to ensure peace and security and broaden the understanding and definition of minorities. The Commission has drafted "National Policy on Interfaith Harmony" with special emphasis for safeguarding and protecting minorities' rights in the country. On the direction of the CCI, the draft Interfaith Harmony Policy has been sent to Provincial Governments for views and comments after which the policy will be finalized and implemented. Furthermore, the name of NCM has been changed to the National Commission for Interfaith Harmony and the National Commission for Interfaith Harmony Bill, 2019 has been proposed to give statutory status to the Commission. Efforts are underway to achieve consensus of all provinces and establish the Commission as an independent body with statutory status to be able to effectively implement their suggestions and proposals not just in the Federal Capital but in all four provinces.

113. On the direction of Ministry of Religious Affairs and Interfaith Harmony, Provincial Governments, as well as Government of AJK and GB and Islamabad Capital Territory administration have established District Interfaith Harmony Committees, comprising members from all religious and presided by a high-level Government Official.

114. The provincial level Minorities Affairs Departments have been established to focus on promotion and protection of minorities ‘rights and to sensitize religious and social leaders about peaceful co-existence. The Minorities Affairs Departments are committed to safeguard the rights of minorities and work in close liaison with human rights groups and CSOs to combat racial discrimination.

115. In KP, the Auqaf, Hajj, Religious and Minority Affairs Department as part of its annual development programme has approved various schemes for the betterment of minority community of KP during 2016–17 including PKR 14 Million for Skill Enhancement Scheme for Minorities in KP; PKR 15 Million for Renovation of *Mandirs* (places of worship for Hindus), *Gurdawaras* (places of worship for Sikhs) and Churches in KP; PKR 14.339 Million for Construction of Boundary Wall around Minority Graveyard in KP; PKR 15 Million for Improvement and Rehabilitation of Residential Colonies and Worship Places for Minorities in KP; PKR 10 Million for Provision of Security Measures to Worship Places of Minorities in KP; PKR 12 Million for Textbooks, Uniforms and Scholarships for students of Minorities in KP; and PKR 6 Million for Medical Assistance/Marriage Grant and Financial Assistance for Widows of Minorities in KP. The Auqaf Department has allocated Rs.6.00 million as Grant in Aid disbursement amongst the minority communities on occasion of their religious festivals including PKR 3 Million for Christmas and Easter; PKR 0.90 Million for Diwali; PKR 1.5 Million for Birthday of Guru Nanak; and PKR 0.60 Million for *ChlumJusht* Festival of the Kalash people. In addition, Working Group on Minority Affairs has been constituted

by the Auqaf Department, KP to work for the rights of minority community. 0.56% of the population of Khyber Pakhtunkhwa consists of minorities comprising Hindus, Christians, Sikhs, Ahmadias and Parsis. It is no denying the fact that for minorities of Khyber Pakhtunkhwa seat has been reserved in the Provincial Assembly to have their representation. The role and efforts of Khyber Pakhtunkhwa Commission on status of Women cannot be denied to register women voters especially the minority women voters in close liaison with Provincial Election Commission. Besides Khyber Pakhtunkhwa Commission is working very closely with Khyber Pakhtunkhwa Interfaith Harmony Council wing to promote religious and ethnic harmony.

116. As being an important stakeholder in the Criminal Justice System, the issue of minorities has always been on the priority of the Provincial Government so the minorities should have to get speedy and inexpensive justice like other citizens of the country as provided under Article 4 and 25 of the constitution of Pakistan.

117. The minority groups of Khyber Pakhtunkhwa also enjoy the rights enshrined in Article 5 of the convention, without discrimination. The Provincial Government of Khyber Pakhtunkhwa is very serious and sincere for the social well-being of minorities of the province. In this regard various schemes/projects of the Provincial Government of Khyber Pakhtunkhwa for the welfare of minorities is as under:

| <i>S#</i> | <i>Code & Name of Scheme</i> | <i>Cost (Rs. in Million)</i> | <i>Remarks</i> |
|-----------|--|------------------------------|--|
| 1. | 190074-Construction of Community Based School for Sikh Community in Peshawar. | 23.00 | Under this scheme 3 storey building for Community Based School shall be constructed for Sikh Community of Peshawar |
| 2. | 180491-Renovation & Improvement of Worship Places of Minorities in Khyber Pakhtunkhwa. | 62.653 | Under this scheme renovation & improvement work has been started in worship Places of Minorities in Khyber Pakhtunkhwa. A total 27 nos. of worship places of Minorities shall be renovated and improved as per approved scope of work and cost. |
| 3. | 180492-Improvement & Rehabilitation of Residential Colonies of Minorities in Khyber Pakhtunkhwa. | 62.653 | Under this scheme improvement & rehabilitation work has been started in colonies of Minorities in Khyber Pakhtunkhwa. A total 18 nos. of colonies of Minorities shall be improved and rehabilitated as per approved scope of work and cost. |
| 4. | 180494-Purchase of land for Minority Graveyards & Shamshan Ghats along with construction of boundary wall in Khyber Pakhtunkhwa. | 100.00 | The scheme is designed to purchase of land for minority Cemeteries and Shamshan Ghats in following districts: Peshawar (Christian Cemetery & Shamshan Ghat) Hangu (Shamshan Ghat) D.I. Khan (Shamshan Ghats) Swat (Christian Cemetery) Swabi (Christian Cemetery) Dir Lower (Christian Cemetery) Mardan (Christian Cemetery & Shamshan Ghat) Nowshera (Christian Cemetery & Shamshan Ghat) |

| <i>S#</i> | <i>Code & Name of Scheme</i> | <i>Cost (Rs. in Million)</i> | <i>Remarks</i> |
|-----------|---|------------------------------|---|
| | | | Chitral (Kalaash Graveyard) |
| 5. | 190073-Skills Development Scheme for Minorities in Khyber Pakhtunkhwa. | 30.00 | Under this scheme various technical training shall be provided to 300 people of minority communities. |
| 6. | 190381-Interfaith Harmony Conference, Minority Youth Exposure Program & Celebration of Religious Festivals of Minorities in Khyber Pakhtunkhwa. | 20.00 | The scheme is designed for the promotion of interfaith harmony across Khyber Pakhtunkhwa. Under this scheme following activities are conducting every year. 9 Nos. of Religious Festivals of Minorities (Christmas, Easter, Holi, Dewali, Guru Nanak Jauanti, Birthday of Guru Gobind Sing, Eid-e-Ridvan, Chamos&ChilumJhost). Interfaith Harmony Conference Minority Youth Exposure Program |
| 7. | 190382-Welfare Package for Minorities in Khyber Pakhtunkhwa. | 30.00 | Under this scheme the department is providing following grants every year to people of minority in Khyber Pakhtunkhwa. Marriage Grant (50 grants) Medical Grant (Case to case base) Widow Grant (500 grants) Financial Assistance to orphan (100 grants) |
| 8. | 200315-F/S for Minority Housing Scheme. | 50.00 | Under this feasibility study for minority housing scheme shall be carried out in following districts of Khyber Pakhtunkhwa. Peshawar D.I. Khan Nowshera Mansehra/Abbottabad |
| 9. | 200316-Provision of small Grants to the Minorities People for Establishment of Enterprises and startups. | 50.00 | Under this scheme various grants shall be provided to people of minorities for establishment of small startups and enterprises as per criteria mentioned in the PC-I of the scheme. Every year 75 people shall get benefit of this scheme. |
| 10. | 200314-Financial Assistance for Minorities Leaders, Scholarships for minorities Students, and provision of text book to Minorities education institutions in Khyber Pakhtunkhwa | 50.00 | Under this scheme the department is providing following grants/scholarships every year to people of minority in Khyber Pakhtunkhwa. Financial Assistance to Minority Religious Leaders (330 grants) Scholarships for Minority Students (Ph.D./MBBS/BDS & Pharm D. 20, MS/M.Phil. 20, Masters 40, BS/BA 120, FA/F.Sc.120) |

| <i>S#</i> | <i>Code & Name of Scheme</i> | <i>Cost (Rs. in Million)</i> | <i>Remarks</i> |
|-----------|--|------------------------------|--|
| | | | Financial Assistance to Minority Educational Institutions for purchase of books & uniform (34 institutes across Khyber Pakhtunkhwa) |
| 11. | 191108-190234-Improvement, Rehabilitation, Construction & re-construction of Worship Places & Residential Colonies of Minorities in Merged Areas. [MA] | 50.00 | Under this scheme renovation, improvement, construction & reconstruction work has been started in 2 worship Places & 1 colony of Minorities in newly merged district erstwhile FATA. |
| 12. | 195174-Special Package for mainstreaming of minorities (AIP). | 450.00 | Under this scheme the department is providing following grants/scholarships every year to people of minority in Khyber Pakhtunkhwa. Moreover, the department is also providing technical skills training to minority people. Financial Assistance to Minority Religious Leaders (10 grants) Scholarships for Minority Students (Ph.D./MBBS/BDS & Pharm D. 20, MS/M.Phil. 20, Masters 40, BS/BA 120, FA/F.Sc.120) Financial Assistance to needy & deserving people (800 grants) Marriage Grant (50 grants) Medical Grant (Case to case base) Financial Assistance to orphan (100 grants) Skill Development of Minorities (25 trades and 625 people shall pass out every year) Minority Youth Exposure Program |
| 13. | 200058-F/S for construction of Residential Colonies for minorities in Merged District (AIP). | 20.00 | Under this feasibility study for minority residential colonies shall be carried out in following districts of Khyber Pakhtunkhwa. South & North Waziristan Khyber Mohmand Kurram |
| 14. | 200059-Provision of small grants for minority people for establishment of enterprises & startups (AIP). | 100.00 | Under this scheme various grants shall be provided to people of minorities in newly merged district (erstwhile FATA) for establishment of small startups and enterprises as per criteria mentioned in the PC-I of the scheme. Every year 150 people shall get benefit of this scheme. |

118. Two important forums working effectively in Punjab for religious harmony among sects of the Muslims are Ittehad Bain-ul-Muslimeen (IBM) and Mutahida Ulema Board

(MUB). Seminars on interfaith harmony are arranged regularly to encourage leaders to speak out against intolerance. Public functionaries are directed to ensure non-discrimination and there is a complaint mechanism available in the form of the Prime Ministers' Complaint Portal to address any injustice done by a public functionary. The Punjab Government & concerned departments have taken following steps for the people belonging to minority groups so that they can enjoy the rights enshrined in article 5 of the convention, without discrimination.

119. Educational scholarships are awarded to the brilliant and needy students belonging to minority communities throughout the Punjab. In the year 2019–20, Rs.25million were allocated for the grant of scholarships. 714 students were selected for the award of scholarships on merit. It is further added for the year 2020–21, an amount of Rs.25.000 million have been allocated for the purpose and 955 students will be the beneficiaries.

120. Details of Educational Scholarships for Minority Students class/level wise is as under:

- (i) Matric Rs. 15,000/;
- (ii) FA Rs. 20,000/;
- (iii) Graduation Rs. 30,000/;
- (iv) Post-Graduation Rs. 35,000/;
- (v) Professional Rs. 50,000/.

121. An amount of Rs.60 million were allocated under "Economic Package for Minorities" for the deserving people of Minority communities which have been disbursed as Rs.10,000/- per family. Out of Rs million:

- Rs.50 million meant for Christmas grant for 5000 Christian families;
- Rs.7 million for Holi grant for 700 Hindu families;
- Rs.3 million for Sikh community on the eve of Birthday of Baba Guru Nanak for 300 Sikh families living in Punjab;
- Minority Development Fund for the welfare of minorities;
- Physical Infrastructure (Roads + Streets + Sanitation + Civic Amenities);
- Public Awareness of Human Rights;
- The details of ADP for the years 2017–2019 are given below.

(Rs. In millions)

ADP 2017–18

| GS No. | Name of Scheme | Budgetary Allocation | Revised Allocation | Releases | Utilization | %age |
|--------|--|----------------------|--------------------|----------|-------------|------------|
| 9342 | Human Rights Sensitization Among Public Servants Through Trainings phase I | 7.000 | 3.000 | 3.000 | 3.000 | 100.0 0 |
| 9343 | Development Schemes of Minorities | 600.000 | 600.000 | 433.914 | 312.543 | 72.03 |

ADP 2017-18

| | | | | | | |
|------|---|----------------|----------------|----------------|----------------|--------------|
| 9344 | Educational Scholarship for Minority Students phase I | 25.000 | 25.000 | 25.000 | 25.000 | 100.00 |
| | | | | | | 0 |
| 9345 | Public Awareness of Human Rights | 10.000 | 8.125 | 8.125 | 8.125 | 100.00 |
| | | | | | | 0 |
| 9346 | Block for completion of on-going schemes of minorities | 171.000 | 171.000 | 171.000 | 123.178 | 72.03 |
| 9347 | Construction of Church building at Subzazar Chaklala Cantt, district Rawalpindi | 2.000 | 2.000 | 0.000 | 0.000 | 0.00 |
| 9348 | Facilities Required for Gurdwara Kartar Sahib, district Narowal | 25.000 | 24.954 | 24.954 | 17.221 | 69.01 |
| 9349 | Construction of Church at Esserkay, District Sheikhpura | 10.000 | 5.000 | 5.000 | 4.742 | 94.84 |
| | Total | 850.000 | 839.079 | 670.993 | 493.809 | 73.59 |

(Rs. In million)*ADP 2018-19*

| GS No. | Name of Scheme | Budgetary Allocation | Revised Allocation | Releases | Utilization (30.06.2019) | %age |
|--------|--|----------------------|--------------------|----------|--------------------------|--------|
| 5997 | Educational Scholarships for Minority Students | 25.000 | 25.000 | 25.000 | 25.000 | 100.00 |
| | | | | | | 0 |
| 5998 | Public Awareness of Human Rights | 25.000 | 0.000 | 0.000 | 0.000 | 0.00 |
| 5999 | Provision for Development Schemes of | 450.000 | 438.243 | 435.243 | 265.468 | 60.99 |

ADP 2018–19

| Minorities | | | | | |
|------------|---------|---------|---------|---------|-------|
| Total | 500.000 | 463.243 | 460.243 | 290.468 | 63.11 |

122. In Balochistan, the Minorities Department focuses on promotion and protection of minorities. The population of religious minorities in the province is 1.5 to 2% of the total population and yet they may avail of 5% government employment quotas. The Government of Balochistan has undertaken various legislative and policy measures to protect the rights of minorities. At provincial level, the Hindu Marriage Act, 2019 and Protection of Properties of Minorities Bill have been notified and promulgated. In addition, to create an atmosphere of peace and unity, Inter Faith Harmony committees have been constituted at district level.

123. In a historic measure exhibiting Pakistan's commitment to end racial discrimination and ensure the protection of the rights of minorities, the Kartarpur Corridor was inaugurated in 2019 as a visa-free border crossing and secure corridor connecting the Gurduwara *Darbar Sahib* in Pakistan to the border with India. The crossing allows Sikh devotees from India to visit the *Gurdawara* in Kartarpur without a visa, creating a link which allows pilgrims holding Indian passports to easily visit both the Kartarpur shrine and *Gurduwara Dera Baba Nanak* on the Indian side of the border. The corridor was successfully completed for the 550th birth anniversary of Guru Nanak on 12 November 2019.

124. As mentioned in our response to the Recommendation contained in paragraph 12 of the Concluding Observations, Pakistan collects statistical data as part of its population and housing census based on various indicators like sex, religious minorities, literacy ratio, language, unemployment, persons with disabilities, etc. This data is then used to formulate policies and enact laws to ensure the protection of minorities' rights without discrimination.

Recommendation Contained in Paragraph 32

125. Minority communities are given due representation in education and employment opportunities in Pakistan. Minorities have been provided ten reserved seats in National Assembly, four in Senate and proportional representation in all the Provincial Assemblies of Pakistan, to ensure their participation in the development of country. Minorities have been provided 5% quota in Federal Government services and jobs and similarly, proportional quota have been reserved by the Provincial Governments. The Establishment Department, KP has allocated 3% quota in services for the minority communities in KP which is proportionate to their population. Establishment Department has reported that the job quota is being implemented and observed by all the departments and offices in KP. The Minorities Department, Baluchistan has been created for effective protection of rights of the Minorities. 5% quota has been reserved for Minorities irrespective of caste, color, language and creed, and to this effect advertisements for government jobs and posts are not published if they do not accommodate the 5% quota for Minorities. In the Baluchistan Assembly, three seats of MPAs are reserved for Minorities. In Sindh, 5% quota has been reserved for employment of Minorities in the Sindh Government. The Government of Punjab is also strictly implementing the 5% quota for minority candidates.

126. To ensure that students belonging to minority communities have adequate education opportunities, the State provides scholarships to minority students ranging from PKR 4,800 to PKR 60,000 to different categories of students enrolled in Government education institutions.

127. Furthermore, to eliminate discrimination against minorities, the Minority Advisory Council, Punjab (MACP) is established with Muslim and non-Muslim leadership to address the issues of discrimination on basis of religion. The recommendations of MACP are implemented on priority basis. The HR&MA, under the Punjab Human Rights Policy, 2018 and Action Plan, has taken a successful initiative to stop discrimination on grounds of religious identity in public sector recruitments.

128. Eighty-five percent of the minorities in Sindh belong to the Hindu community. To curb forced conversion of Hindus and provide a platform for redressal of their grievances,

two bills are under consideration by the Sindh Assembly, including the Sindh Minorities Right Commission Bill, 2019 and the Criminal Law (Protection of Minorities) Bill, 2019. Sindh Government has passed the Sindh Hindu Marriage Act 2016 (amended in 2018), which shall facilitate Hindu community to solemnize their marriages in accordance with the Sindh Hindu Marriage Rules, 2019. The Child Marriage Restraint Act, 1929 will also help curb forced conversions. Sindh Human Rights Commission (SHRC) has taken various steps in dealing with the grievances of minority groups.

129. According to Capital City Police officer, Lahore, there were total of five cases registered U/S 365-B PPC in district Lahore. The abductees were recovered, and statements U/S 164 Cr. PC were recorded before the competent court, to the effect that neither they were abducted nor subjected to Zina. Further, they embraced Islam without any coercion.

The detail of above referred cases is as under:

| <i>Sr. No</i> | <i>FIR No.</i> | <i>Status</i> |
|---------------|--|--|
| 1. | 58/20 US 365-B Dated 11-01-2020 Police Station Factory Area, Lahore | Statement of 164 recorded before magistrate, shows free consent marriage without coercion. |
| 2. | 104/20 US 365-B Dated 18-02-2020 Police Station Civil Lines, Lahore | A case FIR 287/19 was registered at PS Nankana Sahib. The sister of the complainant submitted that she contracted marriage with her free consent without any coercion. |
| 3. | 72/20 US 365-B Dated 15-01-2020 Police Station Liaquatabad, Lahore | Statement of 164 recorded before magistrate, shows free consent marriage without coercion. |
| 4. | 380/20 US 365-B Dated 13-02-2020 Police Station Chung, Lahore | Statement of 164 recorded before magistrate, shows free consent marriage without coercion. |
| 5. | 190/20 US 365-B Dated 15-02-2020 Police Station Manwan, Lahore | Statement of 164 recorded before magistrate, shows free consent marriage without coercion. |

130. The State of Pakistan and its criminal justice system is vigilant in respect of forced conversions and marriages and if any individual case is reported by media or through aggrieved parties, institutional mechanisms and courts take the matter very seriously and conduct proper administrative and judicial enquiries to ensure justice. In 2019, Islamabad High Court took cognizance of the writ petition submitted by two girls Raveena and Reena. The High Court ordered the immediate referral of the girls to the MoHR's FPRCW under the supervision of Deputy Commissioner, Islamabad. High Court and appointed a Commission consisting of the Minister for Human Rights; Chairperson, NCSW; and two members of

Human Rights Commission of Pakistan as amicus curi to assist the Court in the matter. Director General, MoHR was directed to ensure proper care of petitioners during their stay at the shelter. After comprehensive judicial inquiry under the supervision of Islamabad High Court and human rights experts, the testimony of both Raveena and Reena was taken whereby they said that they converted on their own free will, after which the matter was disposed of as it was determined that this was not a case of forced conversion. It is highlighted that due diligence is done and due process was followed expeditiously and carefully during the proceedings of any case pertaining to alleged forced conversion. The case history of a number of cases clearly reflects positively on the independence of our judicial system and the functioning state of domestic remedies. Another case is the successful disposal of the alleged conversion of 17 years old Hindu girl named Payal, whereby an investigation team was swiftly constituted after the registration of a police case and it was held by the Court that Payal had willingly converted to Islam. Other cases such as those of Versha, Ravita (16 years), Rinkle (19 years), Nisha (20 years), Arti, Anusha etc. all pertain to successful disposal by Courts after thorough investigations whereby the victims said that they had willingly converted to Islam.

Recommendation Contained in Paragraph 34

131. The Constitution of Pakistan provides for safeguard and protection of fundamental rights of all citizens, including minorities. The Sheedi community primarily resides in the province of Sindh and enjoys all rights as citizens of Pakistan. So far, no case of rights violation has been reported before the Sindh Human Rights Commission (SHRC) about rights violation with *Sheedi* community.

132. In a historic step celebrating the minority community in Pakistan, Tanzeela Qambrani became the first *Sheedi* woman to be elected as a member of the Sindh Assembly in 2018. The *Sheedi* community in Sindh hold an annual ritual at the *Mangho Pir* Shrine. They give great spiritual significance to the crocodiles in a shrine outside Karachi (known as *Mangho Pir*) by accepting them as their mystical guides in a throwback to their African origins, and this shrine is home to a well-known annual ritual. Dancing and chanting in Swahili, hundreds of Sheedis assemble every year at the Shrine for the *Sheedimela*, which resumed last year after security threats had prevented its occurrence previously.

133. Additionally, football is one of the most famous sports among the *Sheedi* community, especially in Karachi and the national Football team has recruited various players from there. Boxing is another popular sport and Karachi has produced many international boxers, who have also gone on to win gold medals in the Olympic Games. The Donkey Race is also a famous sport played by the *Sheedi* Community in Karachi.

Recommendation Contained in Paragraph 36

134. Nomads are registered as citizens of Pakistan, therefore, they have the freedom to enjoy all rights guaranteed by the Constitution of Pakistan. The nomads holding national identity cards do not have any issues with permanent residences or their fundamental rights. In addition, to improve the housing situation across the Pakistan, the Federal Government of Pakistan has launched the *Naya Pakistan Housing Scheme*. The main objective of the scheme is to provide low-income and poor citizens with their own residence. Under the *Ehsaas* Program, free food is given thrice a day to the poor, including gypsies and other nomadic persons. Additionally, under the pilot project Great Home, the state also provides clothing, medical, recreation facilities to abandoned senior citizens, including those from gypsy groups. Furthermore, NADRA has launched a campaign through mobile vehicles to reach out to people living in slums and nomadic families to get them registered and provide them computerized National Identity Cards (NICs).

Recommendation Contained in Paragraph 38

135. In Pakistan, more than 1.4 million Afghan refugees are registered with UNHCR and possess valid proof of registration (PoR) cards, which facilitates their free movement across the country and ensures their access to basic amenities and opportunities like employment, health care, education, water and other public services at par with Pakistani citizens. Recently, the Prime Minister of Pakistan also allowed Afghan refugees to operate bank accounts.

136. In 2018, under the Afghan Citizen Card project, around 84,000 previously undocumented refugees have been documented by the Government of Pakistan. Moreover, a flexible Visa regime (e-tazkara) has been launched to provide legal avenues for Afghan nationals to live in Pakistan and earn decent livelihoods.

137. The hospitality, generosity and compassion of Pakistanis is reflected through hosting more than 3 million Afghan refugees for the last four decades along-with provision of all basic facilities and protection.

138. A number of processes have been initiated including Afghanistan Pakistan Action Plan for Peace and Solidarity APAPPS (between Pakistan and Afghanistan), Tripartite Agreement (between Pakistan, Afghanistan and UNHCR), for the dignified and safe return of Afghan nationals to high priority areas set by the Afghan government. Recently, Support Platform for Solution Strategy for Afghan Refugees (SSAR) was launched in line with the Global Compact on Refugees to maximize the international resources for the protection of Afghan refugees in Pakistan and Iran as well as strengthening the framework for their voluntary and safe return to Afghanistan. In order to have a reliable data of Afghan refugees, which could lead to their better protection and provision of necessary services, Government of Pakistan and UNHCR are undertaking an extensive exercise for issuance of PoR cards to registered Afghan refugees.

139. Any instances of harassment or hostility, if reported, are immediately dealt with and mitigation measures taken by the relevant authorities. Pakistan has never discriminated against Afghan refugee children in respect of provision of education and considers it imperative to invest in human capital. Despite challenges, the Government of Pakistan has generously encouraged and supported access of Afghan children to public and private education institutions. Afghan refugees living in Pakistan are being dealt with in accordance with the national policy on management and repatriation.

140. Although Pakistan has not ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, the Government is dealing with Afghan refugees as per the non-refoulement principle of international law, providing them protection and necessary facilities for more than 4 decades. Overall, the management and registration system, protection and other amenities provided to Afghan refugees in Pakistan are considered exemplary and adequate by the international community, and duly recognized by the UNHCR and others including the Afghan government. Due to its strong credentials, Pakistan has been made one of the co-conveners of the Global Refugee Forum, supporting the Global Compact for Refugees.

Recommendation Contained in Paragraph 40

141. The Government of Pakistan considers CSOs and human rights defenders as partners in its endeavour to promote human rights and fundamental freedoms of its citizens. Through the very nature of their work, human rights defenders face challenges in the performance of their duties and the Government takes due measures to provide them security and an enabling environment to carry out their work. Whenever their work has been hampered by terrorists and extremists, special investigation teams or joint investigation teams have been formulated by the State to provide legal redress by courts. Any allegations or reports of enforced disappearances and extrajudicial killings are promptly investigated. The complainants have the right to seek redressal of grievances from the superior courts under Articles 199 and 184 of the Constitution.

142. The NCHR, as an apex Human Rights State Body, is obligated to ensure protection of human rights defenders in pursuance of which they have issued Policy Guidelines for the Protection of Human Rights Defenders after detailed consultations. NCHR plays an important role to highlight issues faced by human rights defenders and ensure that the State is providing them required security protection. The NCHR has currently investigated 63 complaints of missing persons and enforced disappearances and has also pursued the case of missing journalist Ms. Zeenat Shahzadi and various missing social activists including Mr. Raza Mahmood.

143. According to the Policy Guidelines, the NCHR shall assist all human rights defenders individually and in groups in carrying out their core functions, which includes the

dissemination of information on human rights; investigating and documenting human rights violations; providing support to victims of human rights violations; taking appropriate legal actions against perpetrators of human rights violations; making demands for justice; and assisting other human rights defenders, international organizations, other regional and international human rights networks, UN agencies, and Human Rights Treaty enforcement bodies. The NCHR shall also support human rights defenders to engage and network with other human rights groups nationally, regionally and at the international level and recognizes the right of the human rights defenders to approach and work with other human rights groups, UN agencies and human rights treaty enforcement bodies.

144. Furthermore, the Ministry of Information and Broadcasting (MoIB) has enacted the Safety, Security, Protection and Welfare Act 2021 to ensure protection to journalists and their families. The MoIB extends special treatment to the organizations and unions of journalists. MoIB ensures the safety and security of these unions as well as individual journalists and media houses. As the members and office holders of unions are all working journalists and media workers, therefore, they are also provided with financial aid in case of death or injury in the line of duty and medical expenditure to victims and their families.

145. Additionally, a Ministerial Media Security Committee has been formed under the Chairmanship of the Minister for Information and Broadcasting including representation from four provincial Information and Home Departments and welfare bodies of journalists which include Pakistan Federal Union of Journalists, All Pakistan Newspapers Society, Council of Pakistan Newspaper Editors and Pakistan Broadcasting Association. The mandate of the Committee is to suggest measures for the safety and security of journalists and media persons.

146. In 2020, twenty cases have been registered in which lawyers were victims. Out of twenty, seven cases were of murder, eight cases of attempted murder and five cases were registered under the head of kidnapping. No such case was registered in which any journalist or human rights defender was victim

147. The provincial Govt. of Khyber Pakhtunkhwa has started many initiatives for the security and welfare of the working journalists and besides the grant-in-aid to Working journalists, media colony and endowment fund for re-imburement of medical bills to the families of working Journalists. The provincial Govt: has a provision of Rs.1.00 Million aid to the family of martyred journalist out of Journalists Welfare Endowment Fund. Bureau Chief of Daily Ausaf for Malakand Division at Swat Late Javed Ullah Khan was martyred on 25-02-2020 Tuesday night in Shakardara area of Matta Tehsil in Swat. He was a renowned journalist and had worked for CNN, Aljazeera English, other national and international print and electronic media. The FIR against unknown terrorists has been registered, and the case for the provision of Rs. 1.00 Million along with allotment of plot to the martyred journalist Late Javed Ullah Khan has been initiated.

Other recommendations

Recommendation Contained in Paragraph 41

148. Pakistan is fully cognizant of its international and domestic obligations related to human rights. The constitution and legal framework of Pakistan fully guarantees all fundamental freedoms and basic human rights. Like other democratic countries, decision to become party to any international treaty is taken after comprehensive discussions and deliberations amongst all stakeholders and taking into account local sensitivities, national priorities, needs and other factors. Detailed information has been provided regarding legal and administrative measures taken by the Government of Pakistan to ensure protection of all from all forms of discrimination in the country, including the protection of migrants and protection of persons from enforced disappearances.

149. Regarding the protection of persons from enforced disappearances, strong domestic measures have been adopted. A Commission of Inquiry on Enforced Disappearances is promptly working and investigating any alleged case of enforced disappearance. Pakistan also regularly engages with United Nations Working Group on Enforced Disappearances

(UNWGEID) as well. Our constructive engagement with the Working Group has been acknowledged in its reports.

Recommendation Contained in Paragraph 42

150. The Constitution, legal and administrative framework of Pakistan forbids any sort of discrimination among citizens on racial, parochial, tribal or sectarian grounds. Details have been provided in our response to the “Committee’s Recommendation Contained in Paragraph 8. Moreover, in line with our international obligations such as The Durban Declaration, necessary policy steps have been undertaken to translate these international obligations into practical measures nationally. The National Action Plan for Human Rights caters for the proactive policy measures and effective interventions to strengthen the national framework against all forms of discrimination and xenophobia. Moreover, the National Commission for Minorities has been made fully functional and effective. Furthermore, Provincial Government has directed all the Deputy Commissioners for proactive role and to this effect Interfaith Harmony committee has been formed with the mandate to promote harmony and tolerance in each district.

Recommendation Contained in Paragraph 43

151. Pakistan does not have a significant population of African descent. Nevertheless, people of African descent are equal citizens of Pakistan and no such cases of discrimination against them have been reported. Constitution of Pakistan provides guarantees to all citizens for protection, equal participation as well as the right to preserve and promote their cultural identity.

152. The contributions of people of African descent in Pakistan have been substantive and they have excelled in most spheres of professions. Noon Meem Danish is a famous Pakistani poet who has contributed a lot to our national literature. Abdul Rashid Qambrani is a male boxer who represented Pakistan internationally. Recently, Ms. Tanzeela Qambrani, a politician, has been elected as a member of Sindh Provincial Assembly.

Recommendation Contained in Paragraph 44

153. The Federal and provincial governments work in partnership with civil society to promote and protect human rights in the country. Civil Society Organizations (CSOs) were consulted both at federal as well as provincial levels before the preparation of this report for seeking their input and valuable contribution. A vibrant civil society continues to inform the government regarding any violation of human rights. Government also takes this information seriously and duly investigates with the view to provide redressal to victims. Further, the Government ensures that measures are taken in collaboration with CSOs to end racial discrimination and guarantee the protection of human rights for all minorities in the country.

154. MoHR has developed a National Human Rights Policy Framework in consultation with Government ministries and departments along with relevant CSOs and NGOs. For this purpose, after concluding the provincial consultations, a National Consultation was organized by MoHR in collaboration with Strengthening Participatory Organization at Islamabad and attended by senior government officials, civil society and other stakeholders from all over the country. The attendees discussed various policy issues and gave recommendations in respect of policy, legal and institutional interventions; implementing key human rights priorities; cross cutting interventions; international/UN treaty implementation; and implementation and monitoring mechanisms. MoHR has organized various events in collaboration with The Asia Foundation.

155. MoHR organized an Inter-Ministerial and Inter-Provincial meeting of relevant stakeholders including CSOs in connection with the implementation of the Human Rights Action Plan prepared by the MoHR. The Human Rights Management Information System is being established in collaboration with Strengthening Participatory Organization to streamline disaggregated data and information on human rights violations. MoHR also organized a national consultation on “Possibilities and Opportunities for Legal Pluralism in Pakistan” in collaboration with Community Appraisal and Motivation Program to solicit

views of stakeholders on the possibilities of linkages between the formal and informal justice systems and the need for access to justice for all, especially the needy.

156. The MoHR has held various capacity building workshops with the support of CSOs in different cities to enhance capacities of governments' functionaries in implementing provisions of different covenants in accordance with Pakistan's national human rights obligations.

Recommendation Contained in Paragraph 45

157. Pakistan is favourably considering the amendment to Article 8 of the CERD. Final decision will be taken in consultation with all the relevant departments.

Recommendation Contained in Paragraph 46

158. Pakistan has consistently condemned all forms of discrimination and has been pursuing, through all available means, both nationally and internationally, to eliminate discrimination, and to promote understanding among all segments of its society. Effective national mechanisms, both judicial and administrative, are in place to provide effective and efficient remedy to any aggrieved party. All State institutions show zero tolerance to any incidence of discrimination. Moreover, the oversight is further strengthened by our free media and vibrant civil society. Like other democratic countries, decision to become party to any international treaty or its optional protocol is taken after comprehensive discussions and deliberations amongst all stakeholders. At the moment, Pakistan is not considering becoming party to the optional protocol to the ICERD Convention.

Recommendation Contained in Paragraph 47

159. Pakistan is favorably considering submitting a common core document and looks forward to develop it in future.

Recommendation Contained in Paragraph 48

160. Information on the implementation of these recommendations has been provided above.
