



# International Covenant on Civil and Political Rights

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## Human Rights Committee 142nd session

### Summary record of the 4155th meeting

Held at the Palais Wilson, Geneva, on Friday, 18 October 2024, at 10 a.m.

*Chair:* Ms. Abdo Rocholl

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

*Second periodic report of Pakistan (continued)*

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

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

*Second periodic report of Pakistan (continued)* ([CCPR/C/PAK/2](#);  
[CCPR/C/PAK/Q/2](#); [CCPR/C/PAK/RQ/2](#))

1. *At the invitation of the Chair, the delegation of Pakistan joined the meeting.*
2. **A representative of Pakistan**, resuming his delegation's replies to the questions raised at the previous meeting, said that the proposed twenty-sixth amendment to the Constitution, whose main purpose was to establish a constitutional court to address the case backlog of the higher courts, was currently the subject of a cross-party debate. The campaign of the Pashtun Tahaffuz Movement for a parallel judicial system ran counter to the twenty-fifth constitutional amendment, Supreme Court rulings and the Committee's own recommendations. Organizations could be proscribed only after a thorough administrative process had been completed, and such decisions could be appealed. The family planning programme launched by the Government of Sindh had reached more than half a million persons, and there were more than 10,000 facilities providing such services across the country.
3. **A representative of Pakistan** said that legislation had been introduced at the provincial level to ensure access to family planning, maternity and reproductive healthcare services. Standards and guidelines had been developed for such aspects of those services as, for example, post-abortion care. Healthcare workers had been trained in medical abortion techniques, and healthcare providers were authorized to terminate a pregnancy in order to save a woman's life when a fetus had not developed correctly. Almost 80 per cent of pregnant women attended antenatal consultations, and almost 70 per cent of births were attended by a skilled birth attendant. Conditional cash transfer programmes further improved maternal and child healthcare, particularly in underserved regions. As part of its efforts to uphold the rights of transgender persons in accordance with constitutional and religious principles, the Government had appealed against the ruling of the Federal Shariat Court concerning provisions of the Transgender Persons (Protection of Rights) Act on self-identification and inheritance rights.
4. The National Accountability Bureau oversaw anti-corruption efforts, which included the regulation of financial institutions and improvements in mechanisms for examining suspicious transactions. Those efforts had resulted in an improved ranking for Pakistan in the Corruption Perceptions Index. Awareness-raising campaigns had been undertaken, and a complaint management system that used data analytics to detect corruption had been introduced, along with increased protection for whistle-blowers. Such efforts were supported by a parliamentary public accounts committee and specialized courts. The public could report corruption anonymously via an application and a portal run by the Prime Minister's Office. Almost 350,000 complaints had been processed during the reporting period.
5. The Supreme Court had ruled that only acts that met specific criteria and were intended to advance an ideological, political or religious cause could be deemed to be terrorism under the Anti-Terrorism Act. If a court was not satisfied that a confession made to a senior police officer had been made voluntarily, free from coercion, it was not admissible, nor was any statement, information or confession obtained by a public official by means of torture or cruel, inhuman or degrading treatment. Minors accused of terrorism were tried by the juvenile courts. The Act provided for procedural safeguards, including a requirement for force to be used proportionately and only as a last resort.
6. Human rights training for public officials included capacity-building for the prevention of trafficking in persons for around 40,000 federal and provincial officials, training on the prevention of custodial torture and deaths for members of the Punjab police force and training for judges, prosecutors and judicial officers. There had been 12 inmates subject to death sentences for drug-related offences when the death penalty had been abolished for such crimes; the sentences of two had been commuted, while the rest had recourse to legal remedies.

7. **The Chair** said that she wished to know how the State party planned to combat the growing phenomenon of forced and bonded labour, particularly of children. She would also be interested in details on efforts to reduce dependence on advance payments from employers. It would be useful to know how the State party ensured that forced and bonded labour and the sexual exploitation of children were investigated and sanctioned and what steps it had taken to increase the number and quality of shelters and protection services for victims and to strengthen programmes to support their reintegration.

8. The delegation was invited to comment on the reported obstacles to the work of civil society organizations, including excessive bureaucratic requirements and harassment by government and security agencies. It would be helpful to know how the State party created an enabling environment for national and international non-governmental organizations (NGOs) and what steps it had taken to review the federal and provincial legislative frameworks in that regard, remove onerous regulations and eliminate practices that restricted freedom of association. She also wished to know whether the State party planned to lift the ban on student unions and create an enabling environment for them and, if so, how it intended to go about implementing those measures.

9. An update would be welcome on the progress of the amendment to the Child Marriage Restraint Act intended to change the legal age for marriage. Clarification was required as to why the order of the Lahore High Court to increase that age to 18 years for girls had yet to be implemented. She wished to know what measures had been adopted to prevent, investigate and sanction the kidnapping of girls from religious minorities for the purpose of forced marriage, their forced conversion to Islam and the sexual violence that they suffered. It would be useful to have information on the number of prosecutions and punishments imposed for those crimes since 2016, on the reparations granted to victims and on the measures adopted to ensure that those girls were returned to their families, to improve shelters for them and to afford them comprehensive care.

10. The Committee would welcome information on measures to ensure birth registration for all children, particularly children without identity documents and foreign children. It would also like to know how the State party planned to ensure the correct application of the Anti-Rape (Investigation and Trial) Act and prevent political interference in such cases, and why it had yet to undertake capacity-building and gender sensitivity training to boost the authorities' ability to implement that law. Lastly, she wished to know whether the State party planned to develop a comprehensive referral programme for children in conflict with the law; establish juvenile justice committees, accommodation facilities and rehabilitation centres; and ensure that all children benefited from legal representation.

11. **Mr. Soh** said that he would appreciate information about the safeguards in place to prevent the misuse of the Exit Control List and other similar lists, particularly in the case of human rights defenders and political activists. In that connection, he would be interested to hear the delegation's response to reports that critics of the Government and human rights defenders, including Jibran Nasir, Mama Qadeer, and Mahrang Baloch, had faced unjustified travel restrictions. He wished to know how the principles of necessity and proportionality were respected in that regard and how the State party ensured that persons were placed on those lists only when there was a clear legal justification and due process had been respected. He would welcome data on the number of requests for the review of decisions to place individuals on those lists and their outcomes, as well as information on measures to ensure that reviews were undertaken transparently and in a timely manner and that court orders to remove individuals from the Exit Control List were implemented promptly. He wished to know what steps were being taken to ensure that all citizens, regardless of religion, could exercise their right to freedom of movement without discrimination and whether the State party was considering reforms to render the passport and national identity card application process more inclusive and non-discriminatory.

12. It would be helpful to know whether there were plans to align legal provisions on defamation with the Covenant in order, in particular, to eliminate imprisonment as a penalty for that offence. Clarification would also be welcome as to why the Punjab Defamation Act had been adopted without adequate stakeholder consultation and how the State party would address the misuse of section 17 of that Act, which allowed for the levying of fines without proof of damages, to shield public officials. He wished to know how the State party would

ensure that the Pakistan Electronic Media Regulatory Authority (Amendment) Act and the Official Secrets (Amendment) Act were not used to target journalists and others with dissenting opinions and what legal recourse was available to persons targeted unfairly. Details would be welcome on the steps taken to ensure the effective enforcement of the Protection of Journalists and Media Professionals Act. He would like to know when the commission provided for under that law would be operational and why its establishment had been delayed.

13. He would welcome disaggregated data on violations of the rights of journalists and human rights defenders, including the number of cases investigated, the number of prosecutions and the penalties imposed when the accused was found guilty. He would also appreciate information on the measures in place to ensure thorough, effective investigations into all reported violations of journalists' rights, address the prevailing climate of impunity, protect journalists and human rights defenders and guarantee effective remedies for victims and their families. It would be interesting to hear the delegation's views on how Internet shutdowns and social media blackouts aligned with the State party's obligations under the Covenant; how the State party ensured that restrictions to freedom of expression were necessary, proportional and legal; and how unfettered access to information, digital platforms and Internet services was guaranteed. Lastly, he would welcome details of any plans to establish an independent oversight body to review and monitor the censoring of online content and the restriction of Internet access.

14. **Ms. Kran** said that she wished to know what measures the State party had taken to ensure that Afghan citizens' asylum applications were assessed on an individual basis; to comply with the principle of non-refoulement; to guarantee access to legal remedies for all persons in deportation and detention centres; to provide refugees with the documents needed to obtain equal access to essential services; to ratify the Convention relating to the Status of Refugees, the Protocol thereto and the Convention on the Reduction of Statelessness; and to develop a comprehensive refugee law that met international standards. She wondered what mechanisms were in place to ensure that the Ministry of States and Frontier Regions and the Chief Commissionerate for Afghan Refugees received sufficient resources; what steps the State party was taking to protect undocumented Afghan nationals from arrest, detention and deportation, especially in the case of women and girls who were at risk of violence and discrimination; and what plans the Government had to ensure the equal application of citizenship laws to all minority groups.

15. She would appreciate information about the action taken to address the Committee's concerns about the fact that, under the Prevention of Electronic Crimes Act, young people could be charged with blasphemy based on their use of digital media; statements regarding the authorities that were deemed to constitute defamation were criminalized; authorities could block online content without regard for proportionality; law enforcement agencies were permitted to collect data without a warrant; and data could be shared with foreign Governments without court authorization. The Committee was also seriously concerned about the use of the Pakistan Telecommunication (Re-organization) Act of 1996 to justify unlawful surveillance. She would be interested to learn what measures the State party was implementing to prevent privacy violations and what steps it was taking to review and amend laws that granted overly broad discretionary powers to State intelligence agencies; what independent oversight mechanisms had been put in place to prevent abuses of power under the Act; what the legal basis and justification was for the mass surveillance by telecommunications companies of up to 4 million people; and what measures the State party planned to take to prohibit arbitrary surveillance of journalists, human rights defenders and persons critical of the Government.

16. She wished to know what legal safeguards, aside from judicial review, existed to ensure that the Peaceful Assembly and Public Order Act, ordinances for the maintenance of public order and certain provisions of the Pakistan Penal Code and Code of Criminal Procedure were not used selectively and disproportionately to prevent gatherings deemed unfavourable to the Government; how the State party ensured that the process of obtaining a permit for public gatherings conformed to the Committee's general comment No. 37 (2020) on the right of peaceful assembly; how the ban on the Pashtun Tahaffuz Movement was in line with the peaceful assembly guarantees established under the Covenant; and what

measures the State party had adopted to prevent the authorities from using disproportionate or unnecessary force against peaceful protesters. She wondered what steps the Government had taken to ensure thorough, impartial investigations into cases of arbitrary arrest, detention and enforced disappearance of peaceful protesters and to hold perpetrators accountable; to combat the excessive use of force and particularly the use of tear gas and water cannons by the police; and to provide training and resources for judges, prosecutors and law enforcement officials to raise their awareness of the right to freedom of assembly. She would be interested to hear what safeguards the State party had in place to ensure that bans on certain political movements under the Anti-Terrorism Act respected the standards of proportionality and necessity and what steps the Government was taking to honour the commitment that it had made at a recent meeting of the Human Rights Council to invite the Special Rapporteur on the rights to freedom of peaceful assembly and of association to visit the country.

17. **Ms. Tigroudja** said that the Committee was concerned about a proposed constitutional amendment that would establish a constitutional court whose chief justice would be appointed by the President, thus potentially undermining the independence of the judiciary. She wished to know how the independence and impartiality of the courts were assured and how they were protected from interference from other State authorities and shielded from political or economic pressure. It would be helpful if the delegation could elaborate on the progress made in extending the jurisdiction of the high courts and Supreme Court to tribal areas and in clearing the case backlog. Its comments would be welcome on reports that the courts were slow to render decisions because they were subject to influence from religious leaders or political pressure. She would be interested to learn what factors were hindering the implementation of the Supreme Court's December 2023 decision on the incompatibility of the prosecution of civilians by military courts with international human rights standards; how many convictions of civilians had been handed down by the military courts, for what offences and what the penalties had been; and whether cases in the military courts could be referred to civilian courts and, if so, within what time frame.

18. She would welcome the delegation's comments on the reported lack of civic and political education in the nation's schools, which would presumably explain the general lack of interest in public affairs among young people, and on their insufficient access to education in general, which was seen as resulting in a de facto barrier to many young people's enjoyment of their right to vote. While she was aware that legislative measures had been taken to promote women's participation, it appeared that political violence and gender stereotypes deterred women from moving into decision-making roles and participating in political life. She wished to know how the State party ensured diversity within its electoral system and whether it was true that Ahmadi persons had to register as non-Muslims in order to vote or stand for election. The delegation's comments on reports that there was strong opposition to women who wished to vote or run for election, particularly in rural areas, would also be appreciated.

19. **Ms. Bassim** said that she was keen to hear about measures taken to strengthen the mandate and independence of the National Commission for Minorities, increase its financial and human resources, and repeal or amend all blasphemy laws to ensure that no blasphemy cases were taken to court unless a prompt, thorough police investigation had been conducted. It would be helpful to have statistics, disaggregated by sex, age, ethnicity and religious affiliation, on the number of persons who had been investigated, charged, convicted or acquitted in relation to blasphemy offences. She would also like to know what sentences had been imposed on persons convicted of that offence. Lastly, she would appreciate an explanation of why the Supreme Court judgment of 19 June 2024 on the protection of minorities' rights had not been fully enforced.

*The meeting was suspended at 11.10 a.m. and resumed at 11.35 a.m.*

20. **A representative of Pakistan** said that constitutional committees had been formed to facilitate dialogue among all political parties on the proposed constitutional amendment aimed at making appeal proceedings more readily available to persons who had been imprisoned on political grounds or in violation of their fundamental rights. The main government and opposition parties had signed a charter for democracy, whereby they undertook to uphold the Constitution and respect human rights. The proposed amendment would empower the judiciary rather than undermine its independence, and the separation of

powers was enshrined in the Constitution. Representatives of bar associations, the executive branch and parliament would be involved in the nomination of judges. The draft constitutional amendment was publicly available, and civil society and bar associations were providing input for the drafting process.

21. The right of all citizens to profess, practise and propagate their religion and to establish, maintain and manage religious institutions was protected under article 20 of the Constitution; religious minorities were protected from discrimination in educational institutions and were granted the right to establish and administer educational institutions pursuant to article 22; and discrimination based on religion in public employment and government services was prohibited under article 27. Various legislative and practical measures were in place to safeguard the rights of minorities, and provincial governments had established interfaith harmony committees. The Government had taken firm action to protect religious minority groups and their places of worship from attacks by extremist or terrorist groups. Consultations had been held with representatives of a broad range of minority religious groups to mark the most recent National Minorities Day, and a parliamentary caucus had been set up to represent the interests of those groups.

22. The National Curriculum Council had reviewed all teaching materials to eliminate any discriminatory content, and human rights topics had been integrated into the syllabuses of various subjects to enhance students' civic and political education. In compliance with article 22 of the Constitution, which provided that children from religious minorities should not be forced to study a religion other than their own, the subject "religious education" had been introduced for such students, and textbooks and syllabuses for minority religion courses had been authorized and prepared. The updated curriculum was being implemented across all education systems, and educators were being equipped to deliver it effectively.

23. The implementation of a comprehensive security strategy had put an end to terrorist and sectarian violence against the Hazara community in the Hazara Town and Mari Abad areas in Quetta. Hazara officers served in all departments of the Balochistan Police Force and in the other departments of the provincial government. Police officers throughout Punjab had been instructed to abide scrupulously by the letter and spirit of the law to prevent violence against minority groups, and comprehensive security arrangements were put in place when such groups were performing religious rituals. The Punjab Police Force worked in close coordination with the Ahmadiyya community. A total of 48 law enforcement officers were deployed at churches in Punjab Province on a permanent basis and 7,147 on a temporary basis, while 194 officers were deployed at gurdwaras (Sikh places of worship) on a permanent basis and 2,469 on a temporary basis.

24. A senior superintendent in the police force was responsible for verifying complaints of violations of blasphemy laws before registering them, and related safeguards and standard operating procedures had been put in place in line with section 156 of the Code of Criminal Procedure. The burden of proof for the registration of complaints was borne by the persons who made them.

25. The Government had developed a robust mechanism for the protection of journalists and human rights defenders in compliance with articles 19 and 21 of the International Covenant on Civil and Political Rights. Bodies such as the Ministerial Media Security Committee and the Punjab Journalist Protection Coordination Committee had been established, as had initiatives such as the Protection of Journalists and Media Professionals Act of 2021, the Khyber Pakhtunkhwa Human Rights Policy of 2018 and the Balochistan Protection Against Harassment of Women at the Workplace Act of 2016. The thriving electronic and print media industry in Pakistan attested to the high level of protection afforded for freedom of expression, while social media were readily accessible and used by millions of citizens. No satellite television channels had been shut down or had their licences suspended in connection with coverage of the protests held on 9 May 2023. Internet and mobile telephone communications were occasionally restricted to protect mass events against terrorist threats and to prevent the spread of false information that could incite violence or panic. Contempt proceedings against television channels and related challenges in the courts were subject to proper judicial scrutiny. Electronic media users were free to express their views. Allegations of the existence of a "kill list" of such persons were untrue.

26. The right to freedom of assembly was guaranteed by the Constitution and other laws, and the Government encouraged public cultural, religious and other gatherings. Section 144 of the Code of Criminal Procedure was invoked in rare cases to restrict the number of persons who could gather in specific places for specific periods of time. Public assemblies had in some cases resulted in attacks on government officials and private property but allegations that section 144 had been used to impose blanket bans on public assemblies were baseless.

27. **A representative of Pakistan** said that nine juvenile courts were in operation at which 645 persons were facing trial. There were no juvenile convicts on death row. Under the Sindh Child Marriages Restraint Act of 2013, the minimum age for marriage for girls in that province had been increased from 16 to 18 years. The provinces of Pakistan were actively considering a request made by the Ministry of Human Rights to bring their marriage laws into line with a judgment made by the Lahore High Court that any difference in the minimum age of marriage for boys and girls was unconstitutional. The Federal Shariat Court had found that the minimum age of marriage should be set by the State. Under section 498 (b) of the Penal Code, forced marriage was prohibited and punishable by a term of imprisonment of seven years. The personal status laws of the Hindu, Sikh, Christian and other communities in Pakistan were all observed and enforced. Incidents of members of minority groups being subjected to forced marriage were recorded by the local authorities and reviewed by the courts. The National Commission for Minorities Bill of 2023 provided for the establishment of a fully independent commission for minorities that would be authorized to receive and evaluate complaints of forced conversion.

28. Under the Army Act of 1952, civilians could be tried in military courts for certain serious offences. While the establishment of military courts was provided for under article 175 (2) of the Constitution and article 9 of the Army Act, the use of such courts to try civilians was extremely rare. The key components of a fair trial were applied in military courts; trials in absentia were also prohibited. A limited number of such trials had been held following attacks on military installations on 9 May 2023. Judgments in respect of ongoing proceedings would be subject to the review and approval of the Supreme Court.

29. **A representative of Pakistan** said that the Exit Control List was governed by the Exit Control List Ordinance of 1981 and Exit Control List Rules of 2010. The Government of Pakistan alone was authorized to place persons on the List and did so on legally defined grounds. Persons were notified that they had been placed on the Exit Control List by means of a written order. A total of 4,749 persons were currently on it, and 10,547 persons had been removed from it since 2010. Any person placed on the Control List was entitled to submit a petition for review within 15 days of notification. The necessity of keeping a person on the Control List had to be regularly assessed, and persons had to be removed from it after 120 days unless a compelling case was made for leaving them on it. The Passport Control List was governed by rules 21 and 22 of the Passport Rules of 2021. Persons were generally placed on that list for a period of five years. Recommendations for removal could be made or removal could be ordered by the courts. A total of 79,950 persons were currently on the Passport Control List and 14,169 had been removed between 1 August 2023 and 30 August 2024.

30. A draft personal data protection bill provided that explicit consent must be given for data collection and processing, included clear guidance concerning data breach notifications and established substantial penalties for non-compliance. The consultation process for the bill had been inclusive and transparent. Clauses had been included specifically to ensure that persons expressing fair criticism and making true assertions would not be subject to punishment. Section 36 of the Prevention of Electronic Crimes Act of 2016 provided that the courts could order a designated agency to collect information from a service provider when there were reasonable grounds to believe that it was needed for a specific criminal investigation. Information must be collected in coordination with the relevant investigative agency and in a prescribed manner. Any unlawful breach of a person's data privacy – including by a data service provider or police officer – was punishable by imprisonment. The Federal Investigation Agency had received 120,782 complaints in 2022 and had conducted enquiries in connection with 14,380 complaints. Some 1,659 investigations had been conducted, 1,700 arrests had been made and 648 cases had been challenged in the courts. The

majority of cases had related to blasphemy, child pornography, financial crimes, hate speech and the dignity of natural persons.

31. Under article 51 of the Constitution, 17 seats were reserved for women in the Senate and 16 in the National Assembly, where women held 72 seats. A total of 1,321 seats were reserved for women in the provincial assemblies, and 33 per cent of seats were reserved for women in local governments. The Elections Act of 2017 provided that electoral results from any constituency in which 10 per cent or fewer of eligible women had voted must be declared null and void. Women's polling booths with female staff had been established in all constituencies, and desks had been established to receive complaints from women (including women candidates, polling staff and polling agents), persons with disabilities and members of minority groups. The Government had appointed a second female judge to the Supreme Court in 2023. There was a system of reserved seats for members of minority groups in all legislative bodies.

32. **A representative of Pakistan** said that slavery, forced labour and child labour were prohibited under article 11 of the Constitution and that articles 17, 18, 25 and 37 (e) also addressed those practices, as did the Bonded Labour System (Abolition) Act of 1992, the Provincial Employees' Social Security Ordinance of 1965, the Minimum Wages Ordinance of 1961 and the Industrial Relations Act of 2012. Pakistan was a State party to the Convention on the Rights of the Child and the Convention concerning Minimum Age for Admission to Employment of 1973 and was working towards ratification of the Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29). During the reporting period, protective legislation for home-based workers had been passed by all four provinces. A number of laws that targeted child labour included the Khyber Pakhtunkhwa Child Labour Policy of 2018, the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act of 2017 and the Azad Jammu and Kashmir Prohibition of Child Labour and Regulation of Labour at Brick Kilns Act of 2017. The Punjab Bonded Labour System (Abolition) (Amendment) Act of 2018 provided for harsher penalties for employing bonded labourers, while the Sindh Prohibition of Employment of Children Act of 2017 and the Gilgit-Baltistan Prohibition of Employment of Children Act 2019 provided for a minimum age for employment of 14 years and a minimum age for employment in hazardous work of 18 years. An anti-trafficking unit and a child helpline had been established under the Prevention of Trafficking in Persons Act of 2018. A total of 35,000 labour inspections had been conducted in Punjab in 2021 that had led to the filing of 455 cases and to 156 arrests. A total of 45,363 child labour inspections had resulted in 982 prosecutions. Some 493 children in Khyber Pakhtunkhwa had been rescued from labour exploitation, and 855 inspections had been carried out in 2023. In Sindh, 22 cases of child labour had been prosecuted following inspections under the Sindh Bonded Labour System (Abolition) Act of 2015, while in Balochistan, 11,000 inspections had been conducted in 2023 and 919 cases had been registered.

33. The District Vigilance Committees established to implement the Bonded Labour System (Abolition) Act of 1992 also engaged in oversight, having in the past two years held over 400 meetings in Punjab and conducted over 800 inspections in Khyber Pakhtunkhwa. In high-risk industries such as brick kilning, the authorities also worked closely with the International Labour Organization (ILO) Decent Work Country Programme.

34. Although Pakistan was not a party to the 1951 Convention relating to the Status of Refugees, it had done more to welcome and assist migrants, refugees and asylum-seekers than many signatories. The Government was proud of what it had achieved in partnership with the Office of the United Nations High Commissioner for Refugees (UNHCR), particularly on behalf of Afghan refugees. The authorities generally accepted UNHCR decisions to grant refugee status and allowed asylum-seekers and recognized refugees to remain in the country pending a durable solution. In 2021, with UNHCR support, they had undertaken a documentation renewal and information verification exercise, known officially by the acronym DRIVE, under which Afghan refugees had been issued with smart identity cards containing biometric data that had been valid until 2023.

35. The repatriation of Afghan refugees was voluntary and dignified. Those willing to return were required to register at a voluntary repatriation centre, which facilitated their journey across the border and provided a monetary allowance of US\$ 300 per individual and US\$ 700 per family. The Illegal Foreigners Repatriation Plan was not focused specifically on



Afghan refugees. Many people of varying nationalities travelled to Pakistan for business, healthcare and other reasons, for which they required a visa. The focus of the Repatriation Plan was thus all persons lacking a valid visa or right to remain in the country on other grounds. The provision of humanitarian safe passage was a key aspect of the Plan; no one was forcibly returned to a place where they might face persecution or harm. The Government took allegations of discrimination and harassment of Afghan refugees seriously and took the necessary action in response. While it was true that a considerable number of foreign nationals had been deported following the launch of the Repatriation Plan, including 30,000 Afghans, around 600,000 Afghans had returned to their homeland voluntarily in the same period. Disaggregated data on the nationalities of refugees currently in Pakistan would be provided subsequently in written form.

36. Regarding the country's energy policy, over the past decade considerable investments had been made in solar, wind and hydroelectric power and renewable energy as well as in fossil fuels. Solar power production had seen particularly rapid growth. The goal set under the Alternate and Renewable Energy Policy introduced in 2019 was to increase the share of renewables in the energy mix to 25 per cent by 2025 and 30 per cent by 2030.

37. In the period under review, over 5,000 names had been removed from the Exit Control List. Mahrang Baloch had availed herself of available legal remedies and had been granted interim relief by the courts. A total of 527 First Information Reports (FIRs) related to blasphemy cases had been lodged, of which 25 had resulted in convictions and 54 in acquittals.

38. **Mr. Soh** said that he would have appreciated more direct answers to his questions and details that supplemented rather than reiterated information provided in the report. He invited the delegation to provide such additional information subsequently in written form.

39. **Ms. Kran** said that she, too, would have liked more detailed, additional information, particularly in respect of the specific right to privacy cases mentioned earlier and the Personal Data Protection Bill. The provisions of the bill related to issues of national security, public interest and legitimate interest apparently lacked precision, and she wondered whether they were any plans for revisions to accommodate the right to privacy. It would be useful to know how many appeals had been filed against convictions in terrorism-related cases on the grounds that the defendant had been denied the right to a fair trial and how many of them had been successful. She would also appreciate the delegation's comments on reports that, in January 2024, Qamar Mehmood had been sentenced to death in a drug smuggling case, which contradicted the State party's earlier comments regarding legislative changes whereby narcotics offences were no longer capital offences. Lastly, she wondered whether the State party planned to extend an invitation to the Special Rapporteur on the rights to freedom of peaceful assembly and of association.

40. **Mr. Gómez Martínez** said that the Committee had received reports of increased discrimination, hate speech and hate crimes against religious minorities. It had also heard that blasphemy laws were being misused and that the number of persons detained on charges of blasphemy had increased exponentially. In August 2023, 23 churches and 91 Christian homes had apparently been pillaged and, in June 2024, a Muslim man had reportedly been killed by a rioting crowd after insulting the Qur'an. He would like to know what the State party was doing to protect religious minorities and ensure that such incidents were duly investigated. Given that the judiciary was well aware of human rights issues and their constitutional implications, he failed to understand why no court had ever questioned the constitutionality of blasphemy laws and, more specifically, sections 295-A and 295-C of the Penal Code, which provided that derogatory remarks against a given religion could in some cases even carry the death penalty. Did the State party have any plans to repeal those sections?

41. **Mr. Helfer**, referring to reports that a national firewall system currently under development would allow the Government to monitor and block Internet traffic deemed harmful to national security and grant access only to some virtual private networks, asked what safeguards were envisaged to ensure that such restrictions would not be used to impede access to information arbitrarily and infringe on the rights to freedom of expression and privacy.

42. **Ms. Donders** said that, according to reports, following an amendment to the Anti-Terrorism Act that allowed for suspects to be detained for up to 90 days without charge, activists in Balochistan had been held in extended arbitrary pretrial detention. Additionally, some detainees had been denied fundamental rights such as access to a lawyer, while others had faced torture and abuse. She would like to know what would be done to investigate such allegations.

43. **Mr. Santos Pais** said that he was keen to learn whether proceedings had been instituted in any cases of corruption within the judiciary or the prosecution service and, if so, what sanctions had been imposed. He would also like to know about the mechanisms, if any, in place to ensure coordination and cooperation between the prosecutor generals in each of the country's four provinces; how the independence of prosecutor generals and other members of the judiciary was guaranteed given that they were appointed by their respective provincial governments; whether they enjoyed security of tenure; what body was responsible for their recruitment, appraisal, promotion, dismissal and any disciplinary action taken against them; how they were protected from undue interference or pressure from other branches of government; and, lastly, whether there was any self-governing body for prosecutors and judges in which they had a clear majority.

44. **The Chair** said that she would appreciate clarification regarding the sentences handed down in cases of child labour as well as information about the penalties imposed in cases of trafficking, including trafficking for sexual purposes.

45. **A representative of Pakistan** said that the limited time available for the delegation's responses had prevented it from providing more in-depth information. Furthermore, producing such information in the very short time available was a challenge, particularly where statistics were concerned. Data on the number of appeals lodged on grounds of denial of fair trial rights and details of the Qamar Mehmood case, though not readily available, would be provided subsequently in writing, along with answers to other pending questions.

46. When it came to counter-terrorism measures, it was important to note that different bodies often had differing perspectives and called for differing approaches. In Pakistan, terrorism was an ongoing threat and, in its dialogue with the United Nations Counter-Terrorism Committee in New York, his Government had on occasion been called to account for its relatively low prosecution and conviction rates in terrorism-related cases. Meanwhile, in Geneva, it had been called upon to give an account of its efforts to ensure that all fundamental human rights were respected in terrorism cases. In line with those contrasting priorities, the Government endeavoured to achieve the necessary balance between ensuring effective prosecution, on the one hand, and upholding human rights, on the other. The same considerations applied to drug-related charges. Controlling drug trafficking was a stiff challenge for the country, given its geographical location. Anti-drug regulations that might appear aggressive were thus necessary to protect society as a whole, yet the authorities must also remain sensitive to the need to protect the rights of individuals.

47. He acknowledged the disconnect between the number of new laws, regulations and measures being developed and adopted in Pakistan and the situation on the ground. In the last seven years, the legislature had adopted around one new legislative instrument on issues related to the Covenant every month, but implementation lagged behind, especially when there was resistance to new measures. Additionally, Pakistan was a huge country, both geographically and in terms of its population, with limited resources. It was therefore not surprising that translating measures into action was a challenge and took time. Nonetheless, there were areas of weakness that could be addressed. That was why the present dialogue was important. A good number of the recommendations made by the Committee following the last periodic review had been implemented and the Government was committed to continuing to make progress.

48. **A representative of Pakistan** said that protecting and promoting all human rights remained a work in progress for Pakistan, as it did for nations throughout the world. His delegation appreciated the candour of the dialogue, even though its brevity had precluded in-depth discussion. The shared focus on a vast array of complex subjects had been timely and necessary. In fulfilling the needs of its people and achieving its foundational ideals, Pakistan continued to make every effort to strike the appropriate balance, nurturing

democratic traditions, inclusive institutions and social harmony while at the time combating the threats its people faced, which included, in addition to terrorism, the effects of climate change and the increase in disinformation. His delegation had sought to engage constructively with the Committee in the limited time available and trusted that the Committee's further advice would enable his country to continue moving forward.

49. **The Chair**, thanking the delegation of Pakistan, as well as the civil society representatives and other parties who had contributed to the review, said that the Committee was well aware of the time pressures that States parties faced during the interactive dialogue. However, the members had a duty to raise all issues that had been brought to their attention. The State party should submit any further responses in writing within 48 hours in order for the Committee to be able to take the information into account when formulating its concluding observations.

*The meeting rose at 1.05 p.m.*