



**International Covenant on  
Civil and Political Rights**

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**Human Rights Committee**

142nd session

14 October–8 November 2024

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

**Replies of Pakistan to the list of issues in relation to its second  
periodic report\***

[Date received: 28 March 2024]

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\* The present document is being issued without formal editing.



## 1. Constitutional and Legal Framework within which the Covenant is implemented

### a. Legislation and Application of Covenant Provisions

1. Since 2018, the Government has made significant progress harmonizing domestic laws with international human rights law, and in line with the Constitution of Pakistan. The commitment to protection of rights under United Nations International Covenant on Civil and Political Rights (ICCPR) is evident through the enactment of the following laws:

- The Punjab Probation and Parole Service Act, 2019 establishes an effective and efficient probation and parole service for assessing and managing offenders who have been or may be sent on probation or parole and for better coordination in the criminal justice system;
- The Sindh Reproductive Healthcare Rights Act, 2019 promotes the reproductive healthcare rights of women and men to redress the complications related to pregnancy and childbirth;
- The Sindh Students Union Act, 2022 provides an effective system for establishment and regulation of Students' Unions in the Province;
- The Protection of Journalists and Media Professionals Act, 2021 promotes, protects, and effectively ensures journalists' and media professionals' independence, impartiality, safety, and freedom of expression;
- The Criminal Laws (Amendment) Act, 2021 amends the Pakistan Penal Code, 1860 (PPC) and the Code of Criminal Procedure, 1898 (Cr.P.C.) to provide efficacious justice to victims of rape by expanding the definition of rape, criminalizing gang rape and providing strict punishments to offenders;
- The Khyber Pakhtunkhwa Home Based Workers (Welfare and Protection) Act, 2021 provides for the protection and welfare of home-based workers and to regulate their working conditions and terms of employment;
- The Torture and Custodial Death (Prevention and Punishment) Act, 2022, prevents and criminalizes all acts of torture and specifically provides protection against custodial torture;
- The Balochistan Maternity Benefit Act, 2022 provide safeguards to working women during maternity, cash maternity benefits, and employment security;
- The Criminal Laws (Amendment) Act, 2023, amends the Prevention of Electronic Crimes Act, 2016, PPC, and Qanun-e-Shahadat, 1984, and criminalizes child sexual abuse content and cyberbullying;
- The Maternity and Paternity Leave Act, 2023 ensures paid leave for eligible employees to care for newborns, fostering work-life balance and family support.

### b. Remedies and Access to Justice

2. Pakistan's courts are frequently invoked, especially under Articles 184(3) and 199 of the Constitution, to enforce fundamental rights. The Superior Judiciary has demonstrated its consistent proactive dedication for addressing a wide range of issues related to the rights of individuals, such as cases involving missing persons, murder, rape, torture, harassment, abduction, acid victim, and enforcement of other civil and political rights. Details of these human rights' cases during the reporting period is following:

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*Complaint status of writ petitions 2018–2023*

<i>Year</i>	<i>Type</i>	<i>Cases</i>
2018	184(3)	114
	199	5 504

*Complaint status of writ petitions 2018–2023*

<i>Year</i>	<i>Type</i>	<i>Cases</i>
2019	184(3)	51
	199	4 983
2020	184(3)	23
	199	4 517
2021	184(3)	23
	199	5 060
2022	184(3)	45
	199	5 330
2023	184(3)	52
	199	4 790
<b>Total</b>		<b>30 492</b>

*Source:* The Supreme Court and High Courts.

3. Pakistan’s Superior Judiciary has consistently referenced articles of the ICCPR when making decisions on significant human rights matters.
4. Major human rights cases include:
  - *Muhammad Yasin vs the State (2024 SCMR 128)*: dealt with reducing the death penalty to life imprisonment in conformity with Art 6 of the Covenant;
  - *Abdul Jabbar Khan Bangash vs Federation of Pakistan and others (PLD 2023 ISL 209)*: dealt with protecting the institution of the family while referring to Art 10 of the ICCPR;
  - *Khadim Hussain vs Sec, MoHR and others (PLD 2020 ISL 268)*: dealt with protecting the rights of prisoners referred to Article 10(3) of the ICCPR.

**c. Reservations to Articles 3 and 25 of the Covenant and First Optional Protocol to the Covenant**

5. The reservations against Articles 3 and 25 of the Covenant and status of ratification of the First Protocol to the Covenant are maintained for the reasons set out in the Pakistan’s Response to the List of Issues to the initial report.

## **2. National Human Rights Institution**

**a. Mandate and Independence of NCHR**

6. The Government of Pakistan reiterates its commitment to maintaining the NCHR’s role as an independent institution focused on human rights, operating in line with the Paris Principles. Consequently, the NCHR has met the requirements to be recognized as an independent national institution per the Paris Principles, as the NCHR’s application for accreditation to the Global Alliance of National Human Rights Institutions (GANHRI) has been successful. The review of the application is scheduled for 2024.

7. The Government has implemented several measures to enhance the NCHR’s independence and impartiality, including the appointment of a new Chairperson and members through a transparent parliamentary process. The substantial rise in the NCHR’s budget i.e., from Rs. 70.8 million for the FY 2021-22 to Rs. 161 million for FY 2023-2024, and the appointment of NCHR Chairperson as the Principal Accounting Officer for budget and expenditure also reflects the Government’s recognition of the Commission’s crucial role, and enabling it to fulfill its responsibilities effectively.

### b. Effectiveness of NCHR

8. The Government acknowledges NCHR's valuable contributions, such as resolving 2455 complaints, conducting proactive investigations and advocacy on human rights violations.

*NCHR Complaint Status 2018–2023*

<i>Cases</i>	<i>Disposal</i>	<i>In Process</i>
2 455	2 301	154

*Source:* National Human Rights Commission.

9. The NCHR's proactive initiatives like 81 jail visits, 21 fact-finding missions, and publication of 50 special reports demonstrate its commitment to actively identifying and addressing human rights concerns., The NCHR's active advocacy for the enactment of the Torture and Custodial Death Act, 2022 and the amendment for abolishing death penalty under the Railway Act, 1890 reflects a strong commitment to upholding human rights.

## 3. Anti-Corruption Measures

10. Pakistan has implemented several laws and established robust enforcement mechanisms to combat corruption. The National Accountability Bureau (NAB), Federal Investigation Agency (FIA) and the provincial Anti-Corruption Establishments (ACEs) are at the forefront trying to fight corruption in the public sector. A notable achievement is the implementation of a Complaint Management Information System (CMIS) by NAB that utilizes data analytics to detect patterns of corruption. Furthermore, mobile applications such as 'Report Corruption App' offers convenient services for citizens to report instances of corruption and provide evidence.

### a. Protection of Whistle-blowers

11. Various measures have been implemented to provide a safe environment for individuals to report instances of alleged corruption, free from the fear of retaliation. The NAB receives and addresses matters brought to its attention through complaints of corruption from the general public. Each complaint is carefully examined and determined based on its merits. The identity of the informant/complainant is kept confidential to ensure their safety and security. Furthermore, the Prime Minister Citizen's Portal also makes it available for the complainant to remain secret/unknown.

### b. Statistical Data

*Corruption Complaint Disposal 2018–2022*

<i>Year</i>	<i>Complaints</i>	<i>Enquiries</i>	<i>Investigations</i>	<i>Prosecutions</i>
2018	45 742	927	265	198
2019	46 289	649	246	183
2020	24 706	387	155	136
2021	34 813	392	121	93
2022	21 495	227	38	30
<b>Total</b>	<b>173 045</b>	<b>2 582</b>	<b>825</b>	<b>640</b>

*Source:* National Accountability Bureau.

**Corruption Complaint Disposal 2020–2022**

\* the CMS system was established in 2020

<i>Year</i>	<i>Complaints</i>	<i>Prosecutions</i>	<i>Convictions</i>
2020	2 018	1 137	302
2021	8 649	777	196
2022	7 097	502	213
<b>Total</b>	<b>17 764</b>	<b>2 416</b>	<b>711</b>

Source: Federal Investigation Agency.

**Corruption Complaint Disposal 2018–2022**

<i>Province</i>	<i>Complaints</i>	<i>Convictions</i>
Balochistan	71	11
Khyber Pakhtunkhwa	12 591	10 753
Punjab	120 669	8 336
Sindh	25 139	15 166
<b>Total</b>	<b>158 470</b>	<b>34 266</b>

Source: Provincial Anti-corruption Establishments.

**4. Non-Discrimination****a. Anti-Discrimination Legislation**

12. Article 25 of the Constitution of Pakistan, 1973 provides for equal rights before the law and their entitlement to equal protection without discrimination, including but not limited to discrimination based on sex. Furthermore, Article 8 of the Constitution holds that all laws in Pakistan need to uphold the principle of equality i.e., any law, custom, or usage that contradicts the fundamental rights granted in the Constitution will be considered invalid.

**b. The Federal Shariat Court’s ruling on Transgender Persons (Protection of Rights) Act, 2018**

13. The Federal Shariat Court (FSC) is a constitutional court established under Article 203 C of the Constitution to examine and review laws in the light of Islamic injunctions. The FSC in its ruling acknowledged that Islamic injunctions recognized the existence of intersex persons and eunuchs. The judgement only struck down Sections 2(1)(n)(iii), 3 and 7 of the Act related to definition of transgender, self-perceived identity and inheritance. The third part of the definition relating to transgender man, transgender women and *khawajasira* whose gender identity or gender expression differ from social norms and cultural expression based on sex at birth, has been declared as un-Islamic.

14. However, it is pertinent to note that the fundamental rights of these persons are still protected in the Constitution as citizens of Pakistan and in other related laws, e.g., their right to inheritance. Accordingly, the Government has filed an appeal against the FSC’s ruling in the Supreme Court, and the matter is currently *sub judice*.

**c. Decriminalizing Consensual Same-Sex Relations**

15. Article 227(1) of the Constitution explicitly declares that no law shall be enacted repugnant to the Islamic injunctions. Therefore, the State cannot legislate to decriminalize same sex relations.

**d. Stigmatization, Harassment, Violence and Discrimination against Transgender Persons**

16. The Government of Pakistan has made significant progress in supporting the transgender community. The Transgender Persons (Protection of Rights) Rules, 2021, and the National Implementation Committee showcase efforts to enforce the Transgender Persons Act, 2018.

17. The Government has also established a Transgender Protection Center at Islamabad to provide temporary shelter, rehabilitation, referral services and other medical and psychological care to transgender community.

*Services Provided to Transgenders 2021–2023*

<i>Shelter</i>	<i>Legal Aid</i>	<i>Medical Assistance</i>	<i>Psychological Counselling</i>	<i>Complaints Redressal</i>
142	200	192	155	50

*Source:* Transgender Protection Center.

18. Since 2012, the Government has also conducted 15 sensitization sessions and consultative meetings benefitting 150 law enforcement officials on the Transgender Persons Acts and Rules. ‘Police Guidelines for Engagement with Transgender Persons’ were shared with the concerned police officials for effective implementation of the Act.

19. Financial support to deserving Transgender Persons has been made possible through the inclusion of transgender persons in the Benazir Income Support Programme (BISP). Health Cards for transgender persons in Pakistan were launched with assistance from the Ministry of Human Rights and the Ministry of National Health Services Regulation and Coordination.

20. Sensitization workshops with National Database and Registration Authority (NADRA) officials were held in various regions, and consultative meetings with transgender leaders at grassroots level were organized. A Transgender Citizens Complaint Management System (Helpline 1099) was launched to address grievances and connect transgender individuals with relevant authorities in cases of violence.

21. To promote reporting acts of violence and discrimination against transgender persons, facilitation desks have been established at all major police stations across the country. For instance, ‘*tahaffuz*’ reporting and ‘*khidmat markaz*’ is the first of its kind for transgender people in Punjab. This facility employs a transgender person who acts as a bridge between trans-community and the police. This facilitates timely reporting of cases of violence as evident from the following data:

*Violence Against Transgender Persons 2018-2023*

<i>Year</i>	<i>Complaints</i>	<i>Prosecutions</i>	<i>Disposal</i>
2018	25	25	03
2019	11	11	0
2020	39	38	01
2021	102	90	08
2022	116	103	11
2023	131	90	38
<b>Total</b>	<b>424</b>	<b>357</b>	<b>61</b>

*Source:* Provincial Police Departments.

## 5. Gender Equality and Violence against Women and Domestic Violence

### a. Gender Equality

22. The Government of Pakistan has prepared a National Gender Policy Framework 2022 that highlights gender-sensitive priorities to strengthen women's meaningful participation in the development of the country. Furthermore, a Gender Unit in the Planning Commission has also been established to monitor and implement gender sensitive policies.

23. The Government has enacted various laws including Enforcement of Women's Property Rights Act 2020, the Islamabad Capital Territory Rights of Persons with Disability Act 2020, the Protection against Harassment of Women at Workplace Act 2010 and 2022, the Maternity and Paternity Leave Act 2023 to ensure gender equality. These laws aimed at enhancing gender equality have created a significant positive impact.

24. All Provincial Governments have developed time-bound action plans and incorporated them into their Annual Development Plans (ADPs) with allocated resources and clear targets. All Provincial Annual Development Plans, which currently include 41 ongoing initiatives focused on women's development. The aim is to enhance the livelihood and well-being of female home-based workers in the informal economic sector and establish resource centers and incubators specifically for women.

25. In addition, the Federal and Provincial Governments have organized 44 capacity-building sessions from 2019 to 2022 for 1649 government officials and other stakeholders to protect rights of women.

26. Furthermore, the Federal Ombudsman Secretariat for Protection Against Harassment (FOSPAH) – a national body with sub offices operational at provincial levels is an autonomous quasi-judicial statutory body working to redress grievances pertaining to harassment at workplace and women's property rights and provide relief to the aggrieved persons.

27. Similarly, the National Commission on the Status of Women is fully functional in the federal and the provincial levels working actively to examine policies, programs and other measures taken by the Government for women's development and gender equality. The NCSW had also petitioned the Supreme Court against jirga system and accordingly in 2019 the court held that the system of jirgas and panchayats were illegal and in contravention to Pakistan's international obligations.

### b. Prevention of all forms of Violence against Women

28. The Government has introduced several amendments in the criminal laws. The Government has also introduced the Criminal Law (Amendment) Act, 2021 that expands the definition of the offence of rape and its punishment. It also introduces a new offence of gang-rape punishable with imprisonment for life and fine.

29. Furthermore, the promulgation of the Anti-Rape (Trial & Investigation) Act 2021 provides for expeditious redressal of rape and sexual abuse crimes in respect of women and children. The Act provides for the establishment of special courts; creation of anti-rape crises cells in public hospitals; use of modern devices during investigation and trial; and a public reporting mechanism.

30. Apart from legislative steps, numerous mechanisms have also been set up in place across provinces nationwide to facilitate victims of GBV such as the establishment of gender units and women helpdesks across various police departments. Moreover, the Government has also taken steps to foster digital transformation whereby leveraging technology to create Women Safety and Zainab Alert Applications across various provinces to provide facilitate citizens in filing and reporting GBV incidents online.

31. The Government of Balochistan has established three crisis centers in the province that provide shelter, legal aid, medical aid, socio-psycho support to victims of gender-based violence. A GBV Helpline 1089 has been established and integrated with the Police Helpline 15 and Women Safety App to provide support to victims of GBV.

32. The Government of Khyber Pakhtunkhwa promulgated the Domestic Violence against Women (Prevention and Protection) Act, 2021 along with its rules offering greater protection to women against domestic violence.

33. The Government of Punjab has established Women Protection Center in Multan to deal with all type of violence, harassment and rape cases with the provision of all services at a single venue, including the lodging of FIRs, medico-legal examination, prosecution, mediation and rehabilitation along with free legal aid. Furthermore, it also promulgated the Punjab Protection of Women Against Violence (Amendment) Act 2022, authorizing existing Women Protection Centers to deal with all types of violence cases.

34. The Government of Sindh operates Women Complaint Cells, a helpline (1094) and safe houses, and shelter homes for vulnerable women.

**c. Criminalization of Marital Rape**

35. Marital rape is not yet criminalized under Pakistan’s legal framework.

**d. Prosecution and Conviction of Perpetrators of Violence against Women**

36. Pursuant to the Anti Rape (Trial and Investigation) Act, 2021 Special Courts, Special Prosecutors and Special Sexual Offences Investigation Units (SSOUIs) and Anti-Rape Crises Cell have been established in all provinces and Islamabad. The Anti-Rape Investigation, Trial and Medico-Legal Rules have also been notified.

37. Furthermore, the Government has taken measures to protect the victims during trial through recording their statements during investigation before the Magistrate, and before trial judge through video link.

38. The Government takes a proactive approach in eliminating all forms of violence against women including psychological, physical and sexual abuse, rape, burning and acid attacks, harassment, early and forced marriages, forced conversions, kidnapping and abduction, murder, and honor killing among others.

*Violence Against Women 2020–2023*

<i>Year</i>	<i>Cases Registered</i>	<i>Convictions</i>
2020	2 172	76
2021	2 692	100
2022	2 698	50
2023	2 442	25
<b>Total</b>	<b>10 004</b>	<b>251</b>

*Source:* National Police Bureau.

**6. Sexual and Reproductive Rights and Voluntary Termination of Pregnancy**

**a. Preventing Unsafe Abortions due to Legal Restrictions**

39. Pakistan has taken steps including the provision of ‘National Service Delivery Standards and Guidelines for High-Quality Safe Uterine Evacuation/Post-Abortion Care in 2018 for delivering comprehensive uterine evacuation care during the first trimester, as well as offering contraceptive methods. This holistic approach seeks to decrease maternal deaths and enhance reproductive health outcomes for women and girls in Pakistan. In addition, the Government has initiated the registration process for Misoprostol, which is used to prevent and manage postpartum hemorrhage and early pregnancy bleeding. Furthermore, training is being conducted for mid-cadre healthcare providers to enable them to provide MVA (Manual Vacuum Aspiration) service and medical abortion.



## b. Legal Grounds for Pregnancy Termination

40. There is a lack of international consensus on the issues of abortion and hence is dealt by each country keeping in view its cultural, religious, legal and national and best interest of the women and children. The abortion law in Pakistan follows the State's international obligations.

41. Pakistan's legal framework permits abortion under certain circumstances, such as when it is necessary to save a woman's life or to provide essential medical treatment. Section 338 of the PPC considers it an offense to intentionally cause a miscarriage where organs have not yet formed unless it is done in good faith to save the woman's life or provide necessary treatment.

42. In addition, healthcare practitioners have the authority to interpret 'necessary treatment' broadly while considering the medical condition of their patients. The Government of Pakistan actively supports the provision of pregnancy termination in cases where the health of women or girls is at high risk.

## c. Clandestine/Illegal Abortions

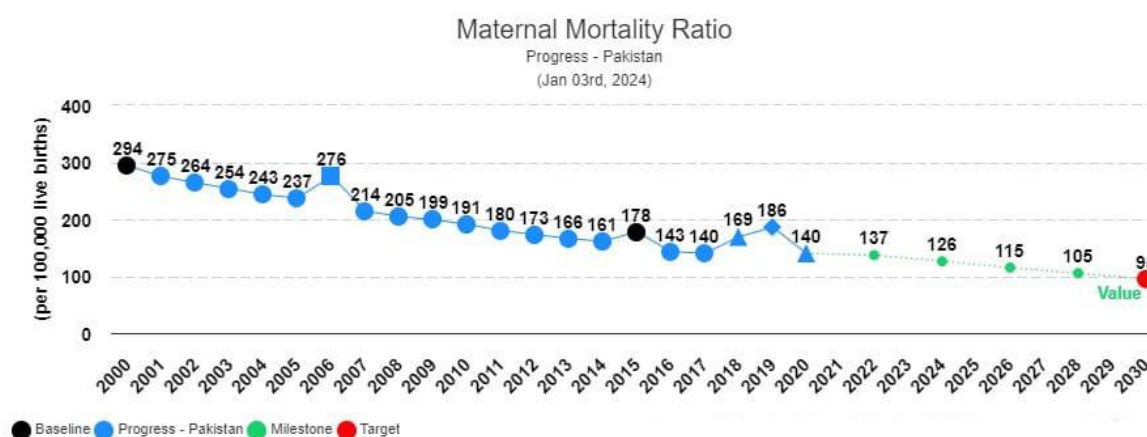
Complaints	Prosecutions	Convictions	Acquittals	Pending
962	156	01	07	148

## d. Reducing High Maternal Mortality Rate

43. During the reporting period, there has been significant progress in increasing the uptake of prenatal consultations, with 77% of mothers attending consultations during their last pregnancy. The attended birth rate, assisted by skilled birth attendants, has also significantly increased from 58% to 68%. The Government also administered Tetanus Toxoid injections to 77% of pregnant women, a vital measure to safeguard the health of infants and women during pregnancy and childbirth, demonstrating a strong dedication to the well-being of mothers and newborns.'

44. Furthermore, the implementation of conditional cash transfer programs, like the Pakistan Flagship Social Safety Net and the Economic Affairs Division's program in Khyber Pakhtunkhwa, showcase a focused strategy to enhance maternal and child health.

45. These efforts show a dedication to guaranteeing that pregnant women receive vital care and support during childbirth, and has resulted in decrease in Maternal Mortality Rate, Infant Mortality Rate, and Neo-Natal Mortality Rate as evident below:



Source: Ministry of National Health Services, Regulations and Coordination.

<i>Infant and neo-natal mortality rate</i>		
<i>Year</i>	<i>Infant Mortality Rate</i>	<i>Neo-natal Mortality Rate</i>
2019	55.7	41.2
2020	54.2	40.4

*Source:* Ministry of National Health Services, Regulations and Coordination.

#### **e. Reproductive Health Care**

46. The Government of Pakistan's Universal Health Coverage benefit packages, the Guidelines on Ending Preventable Maternal Mortality, Intrapartum and Post-natal Care, inclusion of Manual Vacuum Aspiration in the Essential Package of Health Services and Essential Lists as the reproductive health technology of choice for providing safe uterine evacuations and post-abortion care, and Lady Health Workers (LHWs) Strategic Plan 2022-2028 serve as the government's commitment to safeguarding women's reproductive health through a multi-faceted approach.

47. The Government of Punjab has proposed a new bill, i.e., the Punjab Reproductive Health Rights and Family Planning Bill, which aims to tackle a range of reproductive health concerns. Similar bills are being considered in Sindh and Balochistan.

48. Furthermore, provinces have implemented comprehensive family planning and reproductive health programs addressing reproductive health rights and family planning. The LHWs in the provinces work to provide reproductive health services to all women, in particular in rural areas. The Integrated Reproductive Maternal Newborn Child Health & Nutrition Program in Punjab aims to provide accessible and quality reproductive, maternal, newborn, child, and adolescent health services.

49. Similarly, the Maternal, Neonatal, and Child Health program in Balochistan focuses on reducing maternal mortality by training community midwives and improving access to reproductive health services.

50. Furthermore, the Government uses data-driven approaches, i.e., the District Health Information System (DHIS), for data collection to monitor and improve reproductive health outcomes.

51. Pakistan Bureau of Statistics regularly publishes Contraceptive Performance Report based on Family Planning Service Statistics provided by source agencies i.e., Provincial/Regional Population Welfare Departments, Provincial/Regional Departments of Health and eminent NGOs. The annual estimate of the modern Contraceptive Prevalence Rate (mCPR) for 2020-21 was 46.4%,44.1% during 2019-2020 and 42.8% during 2018-19.

52. The Government also actively conducts family planning advocacy campaigns on TV, radio, and social media.

## **7. Counter-terrorism**

### **a. Defining Terrorism**

53. The Anti-terrorism (Amendment) Act 2005 (ATA) protects the civil and political rights of the people under the Covenant, and prevents the misuse of the law. Another amendment to the Act in 2014 introduced the right to review and establish a Review Committee consisting of senior-level officers to ensure that the fundamental rights to fair trial and freedom of association are not violated.

### **b. Removal of the Jurisdiction of Counter-Terrorism Courts over Children and Youth**

54. In 2018, Pakistan enacted the Juvenile Justice System Act (JJSA), which allowed the juvenile justice system to handle cases of children under 18 years. Furthermore, in the case of Saeed Ullah vs Lal Sher and State (2023), the Peshawar High Court ruled that the Juvenile Court shall hear the trial of juvenile offenders accused of terrorism established under the JJSA.

**c. Section 21-H of the Anti-Terrorism Act, 1997**

55. Section 21-H of the Anti-Terrorism Act (ATA)1997 is not a mandatory clause, it is subject to the satisfaction of the court. It remains essential for the confession statement given by an accused individual to a senior police officer to be voluntary and free from any form of coercion. Furthermore, Section 3 and 4 of the Torture and Custodial Death (Prevention and Punishment) Act, 2022 states that any statement, information or confession obtained by a public official as a result of torture or cruel, inhuman or degrading treatment shall be inadmissible evidence in any proceedings against the person making it. A public official who knowingly uses such information shall be criminally liable.

**d. Procedural Safeguards and Right to Fair Trial**

56. The ATA provides adequate procedural safeguards to individuals facing terrorism charges against any potential abuse of power. Law enforcement officials can use force only as a last resort, and should issue prior warning when using force that must be proportionate.

57. Furthermore, Section 5 mandates that use of live ammunition by security forces, must be followed by an internal inquiry led by the head of the department.

58. Section 23 of the Act also grants the court established under ATA the authority to transfer the case to another court of jurisdiction. Moreover, Section 25 allows for an appeal to the High Court against the final judgement of an Anti-terrorism Court.

## **8. Right to Life**

**a. Preventing and mitigating the effects of Climate Change and Environmental Degradation**

59. The Government reinforced its commitment to sustainable development through the National Adaptation Plan 2023. This plan covers a broad spectrum of initiatives, such as promoting climate-smart practices, updating irrigation methods, formulating a growth strategy, and tackling water and rainfall fluctuations.

60. Furthermore, the Government has taken various steps to address environmental degradation. These include the creation of the Pakistan WASH Strategic Planning and Coordination Cell, which aims to facilitate the achievement of SDG 6.1 and 6.2. Additionally, efforts are underway to convert conventional brick kilns to Zig-Zag technology to reduce emissions and save fuel consumption. Moreover, establishing the Climate Resilient Urban Human Settlement Unit emphasizes building climate-resilient and sustainable cities.

61. The Government of Sindh took various initiatives to implement projects focused on canal lining, urban efficiency, and the development of a zero-emissions bus rapid transit system.

62. The Government of Punjab has successfully implemented clean energy projects, including converting ten thousand (10,000) schools to be powered by solar energy and establishing waste-to-energy projects in Lahore. It also established the Environmental Monitoring Centre and Environmental Policy Centre, implementing the Health Advisory System for Critical Air Pollution Events, adopting a Plastic Management Strategy, and procuring monitoring stations under the Punjab Green Development Programme (PGDP).

63. The Government of Khyber Pakhtunkhwa also initiated projects focused on hydropower and tree plantation to address environmental degradation and promote alternative energy sources. It also developed a Climate Change Policy and Action Plan 2022 and conducts training and awareness sessions on climate change in the province.

**b. Preventing and Mitigating the Impact of Floods**

64. The Government of Pakistan developed a Resilient Recovery, Rehabilitation, and Reconstruction Policy in response to the 2022 floods. This policy covers various measures, such as creating a comprehensive hydrological database, models for predicting floods, and a unified approach to managing flood control. The Government is also prioritizing investments

in early warning systems, disaster risk governance, and infrastructure resilience to recover from floods and effectively ensure a more robust future. Implementing projects such as ‘Transforming the Indus Basin with Climate Resilient Agriculture and Water Management’ showcase the Government’s dedication to addressing the consequences of floods nationwide.

65. In addition, the Government has established a Federal Flood Commission (FFC) under the Ministry of Water for mitigating the impacts of flooding.

66. The Government of Balochistan has implemented a comprehensive disaster preparedness plan, conducting mock drills for various scenarios. These initiatives include training programs, socio-economic impact assessments, and the development of contingency plans for multiple disasters.

67. The Government of Khyber Pakhtunkhwa has also taken various steps for the protection of all vulnerable groups in any disaster situation including the establishment of a Gender and Child Cell; and the development of Minimum Standards for Protective Spaces for Children and Women, Guidelines for the Protection of Vulnerable Groups in Disasters for District Disaster Management Units (DDMU), Standard Operating Procedures for Unaccompanied, Separated and Missing Children in time of Disaster, Child Protection in Emergencies’ Strategy, and Technical Guidelines for the inclusion of vulnerable groups in Disaster Risk Reduction.

68. Additionally, the Government of Khyber Pakhtunkhwa has undertaken modifications in its Disaster Management and Information System (DMIS) to capture disaggregated data, ensuring a more nuanced understanding of the impact on different vulnerable groups established a dedicated helpline (1700) to address women and protection-related issues during disasters.

69. The Government of Punjab has also been proactive in disaster prevention and mitigation, conducting annual mock exercises, organizing awareness lectures, and implementing Hazard Mapping for vulnerable districts. The PDMA’s Provincial Emergency Operation Center (PEOC) operates 24/7, equipped with state-of-the-art technology, and a round-the-clock helpline (1129) assists the public during disaster situations.

70. The Government of Sindh took initiatives to mitigate the suffering of flood affectees, and address impacts of environmental degradation. Notable efforts include the provision of over 200,000 ration bags to pregnant and lactating women during drought conditions in 2019, the provision of 937,287 tents, 565,967 plastic tarpaulins, 3,654,958 mosquito nets, 2,439,933 ration bags, 1,817,932 blankets besides other essentials like sanitation kits, household items etc. to cater the needs of heavy rain affected families of monsoon 2022; along with measures to manage heat waves, fire incidents, and cyclone Vayu. The Government regularly provides capacity-building trainings for Disaster Management institutes and Community-Based Disaster Risk Management (CBDRM) throughout the province, provided essential relief items. Furthermore, during the monsoon in 2022, the Government assisted in establishing the Sindh Emergency Rescue Service (1122), and set up a state-of-the-art Provincial Emergency Operation Center in Karachi. The Government of Sindh is also preparing a draft Sindh Disaster Management Policy.

71. All provincial governments have also established Environmental Tribunals to file and redress the grievances.

**c. Moratorium on the Death Penalty**

72. Article 6 of the said Covenant states that in countries which have not abolished the death penalty, death sentence may be imposed only for the most serious crimes. There is no international consensus on the definition of “most serious crimes”. The policy of death penalty in Pakistan is in line with its constitution and international obligations.

73. The moratorium on death penalty was lifted after a national consensus developed in the wake of atrocious attack on Army Public School in 2014.

**d. Review of existing Legislation regarding Death Penalty**

74. Pakistan has reviewed the existing laws containing death penalty, to determine if the scope can be reduced. Accordingly, the number of offences for which death penalty may be imposed was reduced in the Control of Narcotic Substances Act, 1997 and the Railways Act, 1890. In addition to these, a number of judicial safeguards are in place for restricting the scope of death penalty. The *Safia Bano Case (2021)* prohibits death penalty for the mentally challenged accused. Furthermore, the Death penalty Confirmation rate stands currently at 3%

**e. Application of precedent regarding Death Penalty**

75. The National Judicial Policy 2009 provides guidelines for independence of judiciary and monitoring the performance of judiciary in equal application of the precedent set by the Supreme Court for the lower courts. The Superior Courts also hear appeals to review the sentences imposed by lower courts.

**f. Alignment of Execution Protocol with International Human Rights Standards**

76. The death penalty is only awarded by courts after following due process of law. Every convict has the constitutional right to get pardon, reprieve and respite, and to have such sentence remitted, suspended or commuted. Individuals sentenced to death, whether by ordinary courts or military courts are given the right to seek Presidential Pardon. Furthermore, the death penalty cannot be awarded to children under 18 years of age.

**g. Statistical Data**

2018–2022

<i>Province</i>	<i>Death Penalty</i>	<i>Death Penalty for Narcotics</i>
Balochistan	73	01
Khyber Pakhtunkhwa	151	02
Punjab	2 477	09
Sindh	518	02
<b>Total</b>	<b>3 219</b>	<b>12</b>

*Mercy petitions 2018–2023*

<i>Year</i>	<i>Number of Mercy Petitions forwarded to the President of Pakistan</i>
2018	33
2019	16
2020	27
2021	11
2022	09
2023	07
<b>Total</b>	<b>103</b>

*Source:* Ministry of Interior and Provincial Home Departments.

**9. Enforced Disappearances and Extrajudicial Killings****a. Status of the Criminal Laws (Amendment) Bill, 2021**

77. The Criminal Laws (Amendment) Bill 2021 proposed addition of new provisions to the PPC to criminalize enforced disappearances, and the proposed section of the Bill comprehensively explained this term. The National Assembly approved the Bill on November 08, 2021, and referred to the Senate for further consideration. However, the bill lapsed, and the newly elected Parliament is expected to reconsider the Bill.

**b. Repeal of the Actions (in Aid of Civil Power) Regulation, 2011**

78. The Actions (in Aid of Civil Power) Regulations, 2011 have been formulated strictly in conformity with the international human rights law. The abuse or misuse of force during operations has been made punishable under the Regulations. All detainees apprehended during operations are kept in declared and notified Internment Centers. The internees' cases are being regularly reviewed by the Oversight Boards notified by the Provincial Governments under Section 14 of the Regulation.

**c. Practice of Enforced Disappearance to target Journalists, Political Activists and Human Rights Defenders**

79. The alleged cases of missing persons are expeditiously and efficiently dealt by Commission of Inquiry on Enforced Disappearances. The overall decrease in number of alleged cases received from the UN Working Group on Enforced or Involuntary Disappearances support this positive trend.

80. Additionally, the Protection of Journalists and Media Professional Act, 2021, is designed to safeguard the rights and safety of journalists in their work. Furthermore, independent and vibrant electronic media freely express their views and defend the freedom of media persons and there is no truth in alleged/so-called "kill list" in the country.

**d. Measures to Strengthen the Commission of Inquiry on Enforced Disappearances**

81. The Commission of Inquiry on Enforced Disappearances (CoIoED) is headed by a retired Senior Judge of the Supreme Court of Pakistan, The Commission scrutinizes cases of allegations of enforced disappearances and Pakistan submits its replies to UN Working Group on Enforced Disappearances regularly.

**e. Statistical Data**

*Enforced disappearance till 2023*

<i>Province</i>	<i>Cases</i>	<i>Traced</i>	<i>Returned</i>	<i>Internment</i>	<i>Prisons</i>	<i>Dead</i>	<i>Disposal</i>	<i>Pending</i>
Punjab	1 607	1 153	809	93	179	72	195	259
Sindh	1 782	1 145	775	41	266	63	477	160
KPK	3 465	1 660	631	827	125	77	478	1 327
Balochistan	2 732	2 045	1 986	02	20	37	233	454
Islamabad	351	242	177	21	34	10	60	49
AJ&K	67	29	11	03	13	02	24	14
GB	10	02	01	01	-	-	06	02
<b>Total</b>	<b>10 014</b>	<b>6 276</b>	<b>4 390</b>	<b>988</b>	<b>637</b>	<b>261</b>	<b>1 473</b>	<b>2 265</b>

*Source:* Commission of Inquiry on Enforced Disappearances.

**10. Prohibition Of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and Treatment of Persons Deprived of their Liberty****a. Defining Torture**

82. The Torture and Custodial Death (Prevention and Punishment) Act, 2022 defines torture comprehensively, and is in line with the international definition of torture.

**b. Measures for Prevention of Torture**

83. The Government has introduced comprehensive training programs to educate judges, prosecutors, police, and military/security forces to increase awareness of the principles of human rights and the prohibition of torture, and courses have been included in the syllabus of Basic Police Training Courses.

84. The Provincial Governments have also adopted policy of zero tolerance against torture and maltreatment of prisoners by the staff or the other prisoners.

**c. Accountability Mechanism**

85. Under the Torture and Custodial Death (Prevention and Punishment) Act, 2022, the Court of Sessions has the jurisdiction to try offenses of torture. The Act establishes a mechanism for lodging complaints and conducting investigations, allowing individuals to report incidents of custodial torture to the Federal Investigation Agency (FIA). Once a complaint is filed, the investigation must be completed within 30 days from receipt of the complaint.

86. There are a several oversight mechanisms that deal with complaints of torture under police custody. The NCHR, regularly monitors human rights violations through communications with the Federal and Provincial Governments, and conducts formal investigations. The training of police officials and LEAs have also contributed towards this declining trend.

**d. Statistical Data**

<i>Year</i>	<i>Complaints</i>	<i>Prosecutions</i>	<i>Cancelled</i>	<i>Acquittals</i>	<i>Pending</i>
2018	03	03	0	03	0
2019	01	01	01	0	0
2020	07	07	0	01	06
2021	10	08	02	02	06
2022	01	01	01	0	0
2023	01	01	0	0	01
<b>Total</b>	<b>23</b>	<b>21</b>	<b>04</b>	<b>06</b>	<b>11</b>

## 11. Conditions of Detention, and Liberty and Security of Person

**a. Overcrowding and Conditions in Detention Facilities**

87. The Government has taken several initiatives to address the concerns of overcrowding and conditions of detention facilities. These initiatives encompass the creation of the probation and parole service, the adoption of the Offender Management Information System (OMIS), and enhancements to infrastructure such as the construction of new jails and additional barracks in existing detention facilities. In particular, in Punjab the construction of additional 04 detention facilities by 2024 will reduce the overcrowding in prisons as these facilities will have a combined capacity of 2268 prisoners. Establishing of a Parole Board also showcases the Government's dedication to the rehabilitation and reintegration of prisoners in society.

<i>Detention facilities</i>			
<i>Province</i>	<i>Detention Facilities</i>	<i>Authorized Capacity</i>	<i>Current Population</i>
Balochistan	12	2 764	2 874
Khyber Pakhtunkhwa	39	13 375	13 961
Punjab	43	37 217	63 619
Sindh	24	13 538	22 721
<b>Total</b>	<b>118</b>	<b>66 894</b>	<b>103 175</b>

*Source:* Provincial Prisons Departments.

88. All provinces have also made efforts to prioritize the well-being of prisoners, ensuring their needs are met in areas such as food, conjugal rights, communication facilities,

entertainment, sports, and healthcare. Enhancements in dietary provisions, the provision of family rooms for conjugal visits, access to clean drinking water, screening of drug addicts, and the treatment of mentally ill prisoners demonstrate a dedication to ensuring humane conditions.

**b. Punjab Probation and Parole Service Act, 2019**

89. Under the Punjab Probation and Parole Service Act 2019, a new senior post of Director General for the Punjab Probation and Parole Service has been established, along with a Parole Board of which the Additional Secretary of Prisons serves as the Chair to oversee the implementation of the Act.

**c. Pre-trial Detention**

90. A total of 77338 prisoners are under judicial custody, awaiting the conclusion of trials throughout the country. The duration of the custody varies from case to case, however, as a settled principle of law, bail is granted to the under-trial prisoners expiring the one-year limit. All prisons across Pakistan maintain separate barracks and cells for convicted and under-trial prisoners.

91. Regular visits by judicial officers, National Commission for Human Rights and National Commission on the status of Women and Regional Directorates of Human Rights ensure independent monitoring. The courts also provide opportunity of online hearings and examination of witnesses.

**d. Procedural Safeguards against Arbitrary Detention**

92. The Constitution of Pakistan, particularly Article 10 (4), outlines the grounds for preventive detention. However, the Supreme Court of Pakistan has affirmed that detention orders must be based on ‘complete and full’ grounds, ensuring transparency for the detainee. Article 10 (5) of the Constitution mandates that the grounds for preventative detention must be communicated within fifteen days of the detention order.

93. Furthermore, the Constitution imposes time limitations on both initial and post-review detention periods. Initial detention may not exceed three months before review by the appointed Review Board. The Review Board must reconsider detention every three months to ensure continued justification. Solitary confinement for accused under the Blasphemy laws is practiced to ensure safety and protection of the accused persons.

## 12. Elimination of Slavery and Forced and Bonded Labour

**a. Trafficking in Persons**

94. The Prevention of Trafficking in Persons Act (PTPA), 2018 criminalizes sex and labour trafficking, prescribing penalties of up to seven years imprisonment, a fine of up to 1 million rupees, or both for trafficking related crimes involving an adult male. Furthermore, the Government increased its efforts to prevent the trafficking and in 2022, Pakistan acceded to the UN TIP Protocol. A National Coordination Committee on Trafficking in Persons was established in 2022. The Government also continues to implement the National Action Plan on Human Trafficking/Migrants Smuggling 2021–2025, The measures taken by the Government resulted into a positive impact.

**b. Statistical Data**

*Trafficking in persons under PTPA 2021–2022*

<i>Year</i>	<i>Case Type</i>	<i>Investigations</i>	<i>Prosecutions</i>	<i>Convictions</i>
2021	Sex Trafficking	130	39	0
	Forced Labour	368	243	0



*Trafficking in persons under PTPA 2021–2022*

<i>Year</i>	<i>Case Type</i>	<i>Investigations</i>	<i>Prosecutions</i>	<i>Convictions</i>
2022	Sex Trafficking	856	509	08
	Forced Labour	988	677	89
<b>Total</b>		<b>2 342</b>	<b>1 468</b>	<b>97</b>

*Source:* Ministry Of Interior.

*Trafficking of persons under PPC 2021–2022*

<i>Year</i>	<i>Investigations</i>	<i>Prosecutions</i>	<i>Convictions</i>
2021	1 831	1 254	542
2022	32 806	14 468	53
<b>Total</b>	<b>34 637</b>	<b>15 722</b>	<b>595</b>

*Source:* Ministry of Interior.

**c. Child Rights and Domestic Labour**

95. The Government has taken measures to address the issue of trafficking in persons, forced and bonded labour, including all forms of child labour and sexual exploitation of children. The Government has established the National Commission on the Rights of the Child (NCRC) now fully functional with the mandate to take necessary measures including investigations in case of violation of rights of child and monitor the practices.

96. The GOP has also established Child Protection Institute at Islamabad to provide shelter services, counselling, rehabilitation to the children victims of violations including trafficking and domestic labour. Similarly, the Child Protection Bureaus are also functional in the provinces for providing services to the children with legal and shelter needs.

97. The Government has strengthened institutional mechanisms for protection of children from human trafficking.

98. FIA has established Special Unit to be called Anti Trafficking Unit (ATU) to deal with all matters relating to human trafficking more effectively.

99. National Central Bureau Interpol in Pakistan is a base of operations for all cases relating to International Police Cooperation.

100. The FIA has established a specialized Anti-Human Trafficking and Smuggling Wing (AHS). The Agency has also drafted National Action Plan 2025 on Human Trafficking and Migrants Smuggling in collaboration with UNODC.

101. Prevention of Human Trafficking is made through integrated border management system (IBMS) established at all immigration check posts. The Government has also published a Red Book of most wanted human traffickers and smugglers which is updated every year. Additionally, a Case Management System (CMS) has been established for computerization of crime data.

**d. Forced and Bonded Labour**

102. The Government remains dedicated to eliminating bonded and forced labor. All provinces have also enacted legislation and implemented various measures to address the issue of forced and child labor.

103. Labour inspectors remain the front-line officials to inspect and identify forced labour – including bonded labour – in several sectors, including brick kilns, farms, and factories. Government of the Punjab reported 35,291 labour inspections in 2021 resulting in 455 cases filed and 156 arrested, and 49,363 child labour inspections resulting in 982 prosecutions. The KP Government interdicted and rescued 493 children involved in child labour and submitted the cases for prosecution. The Sindh government interdicted 22 cases of Child labour.

**e. Rehabilitation and Reintegration Support Services for Victims**

104. The Federal & Provincial Governments operate 103 shelter homes for vulnerable women and children, including trafficking victims providing psychological services, legal assistance, and financial aid, and educational training to victims.

105. Furthermore, the Provincial Governments allocated funds for victim protection and assistance. During 2022, Punjab allocated 257 million rupees, Sindh allocated 50 million rupees, and Khyber Pakhtunkhwa allocated 113 million rupees to the same. Additionally, the Government also operates hotlines to assist trafficking inquiries, including the FIA hotline for victims of crime, the Ministry of Human Rights hotline 1099 remain available to provide legal support for victims of human rights abuses.

106. The Child Protection Institute (CPI), Family Rehabilitation and Protection Centre (FRPC), and provincial Women and Child Protection Centres collaboratively focus on rehabilitation and reintegration services for children affected by labor exploitation, bonded labor, trafficking, and related abuses. Furthermore, Legal Aid & Justice Authority (LAJA) offers legal aid to victims, while CPI provides comprehensive support, including rescue, shelter, counseling, and family tracing, to rehabilitate these children. The FRPC also provides free medical and legal aid to victims of violence, and coordinates with relevant agencies to redress grievances of women.

**f. Awareness and Training**

107. The Government regularly provides in-person and online training, in collaboration with international organizations, police training colleges, federal and provincial prosecution departments, judicial academies, social welfare departments, labor inspectors, and child protection bureaus on trafficking investigations, anti-trafficking enforcement, laws, and SOPs for victim identification and referral.

108. The FIA trained 3,238 officials from various departments from 2021 to 2022. Provincial governments trained 36,850 officials on anti-trafficking enforcement laws, including 22,290 in Punjab, 2,853 in Sindh, 510 in KP, and 64 in Balochistan.

**13. Freedom of Movement****a. Criteria for Inclusion, Process, and Safeguards**

109. The Exit Control List Ordinance, 1981, and Exit Control List Rules 2010 determine the criteria for including individuals in the Exit Control List (ECL). The criteria for inclusion are precise and pertain to serious offenses. Listing or delisting names requires the involvement of both government and judicial authorities. The Federal Government is the sole authority to place someone on the ECL. If approved, the Federal Government issues a written order prohibiting the persons from leaving Pakistan. The order is served on the person through local authorities, immigration officials, or registered post and copies are sent to relevant authorities for enforcement.

110. Every person has the right to submit review petitions within 15 days, provide reasons for a review, and ask for a personal hearing with the appropriate authority. The right to appeal guarantees a just and open procedure to avoid any abuse of these lists.

111. The Passport Control List (PCL) is governed under Rule 22 of Passport Rules, 2021 giving the Federal Government authority to retain individuals on this list. There are two categories of retaining individuals on PCL based on established criterion for generally a period of five years which can be extended on recommendations of referring department. However, a person may be removed from PCL on receipt of recommendations from the referring department or the a court of law. These categories are subject to periodical review by a Review Committee under Rule 22 (2) (c) & (d) of Passport Rules, 2021.

## **14. Treatment of Aliens, including Migrants, Refugees and Asylum-Seekers**

### **a. Convention relating to the Status of Refugees and the Protocol**

112. Pakistan is not a party to the 1951 Convention Relating to the Status of Refugees nor its 1967 Protocol, however, it adheres to the international standards of refugee protection under customary international law.

113. The refugees, stateless and aliens are treated in accordance with the provisions of the Foreigners Act, 1946. The UNHCR conducts refugee status determination under its mandate (Statute of the Office of the United Nations High Commissioner for Refugees adopted by the General Assembly Resolution 428 (V) of 14 December 1950) and on behalf of the Government of Pakistan in accordance with the 1993 Cooperation Agreement between the Government of Pakistan and the UNHCR. Pakistan generally accepts UNHCR decisions to grant refugee status and allows asylum-seekers (who are still undergoing the procedure) as well as recognized refugees to remain in Pakistan pending identification of a durable solution.

114. In February 2007, the Government concluded a registration exercise of Afghan refugees living in Pakistan and issued Proof of Registration (PoR) cards to them, which provide temporary legal stay in Pakistan, freedom of movement and exemption from the application of the Foreigners Act, 1946. Approximately 1.34 million Afghans are currently holding PoR cards. The Documentation Verification and Information Verification (DRIVE) exercise is currently taking place led by the Government and supported by the UNHCR. All PoR card holders verified through this exercise will receive new smart PoR cards with 2-year validity. Currently, 11 POR Card Modification Centers (PCM) are working in Pakistan.

115. Pakistan's national policy on Afghan refugees remains unchanged. The State continues to host 1.4 million Afghan refugees. As the situation in Afghanistan stabilizes, Pakistan believes that it is the right time to upscale international efforts to create conditions conducive to the voluntary repatriation of Afghan refugees with honour and dignity.

116. Pakistan's recent decision regarding repatriation of illegal aliens is a regulatory measure, irrespective of nationality of these aliens, and Pakistan is well within the parameters of its sovereign domestic laws to act in this context.

117. The Government's policy envisages a phased and time-bound repatriation of all illegal foreigners residing in Pakistan. These include cases of individuals who are overstaying their visas and do not possess valid documentation, and it is not directed against any specific nationality. Pakistan remains in contact with Afghan authorities and will continue to engage with them on all matters of bilateral interest, including the safe return of the refugees. The latest decision therefore pertains to illegal migrants and not refugees; these are two separate cases.

## **15. Access to Justice, Independence of Judiciary and the Right to Fair Trial**

### **a. Merging FATA with Khyber Pakhtunkhwa and Judicial Independence**

118. The Government has made significant progress in the legal integration of the merged region of FATA with Khyber Pakhtunkhwa, including ensuring the application of the Constitution, federal laws, and jurisdiction of the highest courts in FATA through the implementation of the Supreme Court and High Court (Extension of Jurisdiction to Federally Administered Tribal Areas) Act, 2018.

119. The 25th Amendment to the Constitution has made notable changes by expanding the Peshawar High Court (PHC) jurisdiction to include appellate courts and tribunals in the newly merged districts. The Government has established new district courts in the merged districts, and the jurisdiction of the high court now extends to these areas.

120. The PHC has recently implemented the Conduct Rules for Judges, prioritizing the importance of maintaining judges' independence in appointments and transfers. Additionally, they have published a comprehensive Monitoring and Evaluation Policy 2020–2025 to address the backlog of cases. The enactment of the Khyber Pakhtunkhwa Alternate Dispute

Resolution Act 2020 further emphasizes the Government’s commitment to overseeing the application of informal approaches to resolving conflicts.

**b. Independence of Judiciary and Backlog of Cases**

121. The Constitution ensures the judiciary’s independence. The Government has implemented several measures to encourage alternative dispute resolution by implementing the Alternate Dispute Resolution Act 2017. Regarding this matter, the Federal Judicial Academy (FJA) has been tasked with training the mediators and arbitrators.

*Pendency of cases 2022–2023*

<i>Court</i>	<i>Pendency (2022)</i>	<i>Institutions</i>	<i>Disposals</i>	<i>Pendency (2023)</i>	<i>Change</i>
Superior Courts	392 353	250 001	259 631	382 396	- 2.5
District Courts	1 754 380	3 737 931	3 755 862	1 766 633	+ 0.7

Law and Justice Commission of Pakistan.

**c. Military Courts and Civilian Trials**

122. On May 9, 2023, several cities in Pakistan witnessed attacks on military installations involving rioting, violence and arson. There were numerous incidents involving the destruction of public buildings and private properties, which tragically led to a significant loss of life and a large number of injuries. The law enforcement agencies (LEAs) acted in line with legal provisions, registering 430 criminal cases across different jurisdictions under the constitutional and legal provisions. The individuals responsible for these crimes were charged under the relevant provisions of the PPC and ATA 1997.

123. The Constitution and the Army Act 1952 allow military courts to try civilians in certain situations. However, the accused are entitled to right to due process including the ability to prepare their defense adequately, communicate with their chosen counsel, receive a fair and timely trial, have witnesses examined, and protection against self-incrimination. Constitutional courts can review decisions made by the military courts.

124. In December 2023, the Supreme Court granted permission for military courts to continue trials on the condition that sentences would not be executed until the final decision is given by the Supreme Court. So far, no convictions have been made by any military court. It is pertinent to mention that the Pakistan Army Act, 1952 provides opportunity of fair trial for the accused as guaranteed by the Constitution of Pakistan and ICCPR.

125. Furthermore, the NCHR has also conducted a detailed investigation into the charges of torture for those arrested following the 9th May protests. The Committee constituted by NCHR visited relevant jails, conducting pre and post visits meeting persons in charge of the prison, and individually interviewed incarcerated protestors. According to NCHR’s report no female or male protestors reported any act of torture or sexual abuse while in police custody or in prison.

## **16. Right to Privacy**

**a. Prevention of Electronic Crimes Act, 2016**

126. The Prevention of Electronic Crimes Act (PECA), 2016, was enacted to address electronic crimes. The law provided legal safeguards to ensure that data collection under PECA is conducted with the necessary legal authorization.

127. Section 36 of PECA provides that if a court is satisfied that there are reasonable grounds for believing that the content of certain information is needed for a specific criminal investigation, the court may order a designated agency to collect or record that information from a service provider. This must be done in coordination with the investigation agency under prescribed manner.

128. It is pertinent to note that the Judiciary is the sole competent authority to authorize law-enforcement agencies for real-time collection and recording of information.

**b. Personal Data Protection Law**

129. The Government is in the process of drafting a Personal Data Protection Bill to protect user's data privacy. The consultative process for the new bill demonstrates a definite dedication to inclusivity and transparency in the legislative process. The law has provisions on hate speech which align with the ICCPR, prohibiting incitement to discrimination, hostility, or violence. Concerns about freedom of expression are addressed through specific clauses, ensuring that fair criticism and true assertions are not penalized.

**17. Freedom of Conscience and Religious Belief**

**a. Protection of Minorities**

130. The Government in 2020 established the National Commission for Minorities (NCM) under the Ministry of Religious Affairs and Interfaith Harmony comprising of 12 members including two Muslims, three Hindus, three Christians, two Sikh and one Parsi and Kalash.

131. In 2023, the National Assembly of Pakistan passed the National Commission for Minorities Bill, 2023 which paved the way for the establishment of an independent, statutory Commission. The draft Bill will be reintroduced in new Parliament. The NCM will encompass advocacy for rights of minorities, addressing their pertinent concerns, and promoting interfaith harmony through policy and operational measures.

132. Furthermore, the Government also prioritizes the protection of the rights of minorities, and investigates all cases of violence against religious minorities. Following the vandalization of churches and homes of Christians in Jaranwala in 2023, the Punjab law enforcement agencies executed a comprehensive investigation into the matter including issuing arrest warrants of accused persons, and deployed 3000 police personnel to control the law-and-order situation. The Government also provided compensation of Rs. 2 million to 94 families whose houses were destroyed. The NCHR also initiated an investigation into the attack and submitted its recommendations to the Government.

133. The Government has also taken administrative measures for the protection of minorities, including the notification of a Task Force on Developing Strategy for Religious Tolerance in 2022. Furthermore, Interfaith Harmony Committees have been established by Provincial Governments at District level. Parliamentary Committees also provide oversight functions on human rights violations of minorities. Furthermore, reinforced protection is provided by police on worship places of minorities. Additionally, a Council of Complaints has been established under Section 26 of PEMRA Ordinance, 2002 to review and redress public/ individual complaints related to operation of electronic media.

**b. Prevention of Misuse or Abuse of Blasphemy Laws**

134. It is pertinent to note that the blasphemy laws are applicable to every citizen of Pakistan without any prejudice. However, the Government has undertaken efforts to prevent the misuse or abuse of blasphemy laws, through amendments in the legal procedure. The preliminary inquiry in blasphemy cases is now carried out at the level of District Police Officer to ensure safety of citizens.

135. There is also an effective process of appeal in case of conviction. If any accused is convicted and awarded capital punishment by Court of Sessions, the same is required to be confirmed by two judges of the High Court otherwise it cannot be implemented. After the decision of the High Court, the convict has the remedy to appeal to the Supreme Court of Pakistan. If the apex Court upholds the verdict of the High Court, a mercy petition can be submitted to the President of Pakistan.

136. It may be noted that the Criminal Laws (Amendment) Bill 2023 pertaining to amendments in the blasphemy laws was passed into law, and lapsed due to the completion of the tenure of the parliament.

### c. Statistical Data

#### *Complaint status on blasphemy 2018–2023*

<i>Complaints</i>	<i>Prosecutions</i>	<i>Convictions</i>	<i>Acquittals</i>
748	747	09	64

*Source:* Provincial Police Departments.

137. The Government has made amendments in the FIA Schedule wherein any complaint under section 295-A, 295-C, 298 and 298-A of PPC would fall within the purview of the FIA and would have the powers to check misuse of blasphemy cases, in parallel to the provincial police departments.

#### *Complaint status on cases of blasphemy 2018 – 2023*

<i>Year</i>	<i>Prosecutions</i>	<i>Convictions</i>	<i>Acquittals</i>	<i>Under Trial</i>
2018	16	0	0	16
2019	12	1	0	11
2020	41	1	1	39
2021	46	3	0	43
2022	71	1	2	68
2023	74	1	5	68
<b>Total</b>	<b>260</b>	<b>07</b>	<b>08</b>	<b>245</b>

#### *Disaggregated data of false accusation of blasphemy 2018–2023*

<i>Male</i>	<i>Female</i>	<i>Over 18 years</i>	<i>Below 18 years</i>	<i>Muslim</i>	<i>Non-Muslim</i>
395	03	398	0	392	06

*Source:* Federal Investigation Agency.

## 18. Freedom of Expression

### a. Freedom of Press

138. The Official Secrets (Amendment) Act of 2023 does not target journalists or media organizations. The main objective is safeguarding confidential data on national security and defence matters.

139. In addition, the Government introduced the Pakistan Electronic Media Regulatory Authority (PEMRA) (Amendment) Ordinance 2023 in consultation with the media community, aiming to safeguard the rights of media workers.

140. Furthermore, it is crucial to reiterate the legal protections afforded to journalists under the Right to Information Act 2017, the PEMRA Ordinance 2002, and the Protection of Journalists and Media Professionals Act 2021. These laws safeguard journalists from censorship threats and prevent the misuse of criminal laws against them.

### b. Protection of Journalists and Media Professionals Act, 2021

141. The Protection of Journalists and Media Professionals Act, 2021 established the legal and institutional framework to promote, protect and effectively ensure the independence, impartiality, safety and freedom of expression of journalists and media professionals, including the freedom to seek, receive, and impart information and ideas of all kinds regardless of any medium.

142. Ministry of Information and Broadcasting has constituted Ministerial Media Security Committee for effective coordination with the respective provincial governments along with

media representative bodies to provide necessary security cover to the journalists and media houses.

143. The Provincial Governments have also taken a proactive approach for safeguarding and investigating cases pertaining to human rights defenders and journalists, including establishing Journalists Welfare Endowment Funds to provide for the welfare of journalists or their families in case of death or injury.

## 19. Right to Peaceful Assembly and Freedom of Association

### a. Blanket Bans on Public Assemblies

144. Pakistan denies allegation of blanket bans on public assemblies under Section 144 of the CrPC. Section 144 is only invoked for the safety and public order at large and is subject to judicial review. Pakistan guarantees citizens the right to assemble peacefully, without arms, subject to reasonable restrictions to maintain public order. Section 144 of the Code of Criminal Procedure (Cr.P.C) aims to uphold public order and prevent violence during communal tension, strikes, and other instances of civil unrest by granting the executive magistrate the authority to restrict the assembly of a certain number of individuals in a specific location for a designated duration to preserve public order.

### b. Statistical Data

*Complaint status on bans on public assemblies 2018–2023*

<i>Cases Registered</i>	<i>Prosecutions</i>	<i>Convictions</i>	<i>Acquittals</i>
853	427	19	119

*Source:* Provincial Police Departments.

### c. Freedom of Association

145. The Constitution and the domestic legal framework guarantee freedom of association. The CSOs and NGOs, are registered under the relevant laws. Administrative mechanisms of CSOs are in place to ensure compliance with the laws. All organizations that meet the legal criterion are registered without discrimination. NGOs' registration requests are only rejected based on legal grounds, and representatives can appeal to the appropriate forums.

146. The 'INGO Policy 2015' was formulated for registration, working, funding, monitoring and other related aspects pertaining to all types of NGOs functioning in Pakistan. To make the process transparent, three committees have been constituted i.e., Scrutiny Committee, INGO Committee and the Special Committee. In 2018 registration applications of 19 INGOs were regretted, out of which 17 filed representations before the Special Committee, and were given an opportunity of personal hearing in 2019. In 2020, the Special Committee cleared 09 out of the 17 INGOs. Status of the remaining NGOs is under deliberation by the Special Committee.

147. Moreover, the Government is also cognizant of importance of students' unions. The Government of Sindh in 2022, promulgated the Sindh Students Union Act which provides an effective system for the establishment and regulation of Students Unions in the Province. The Act allows all higher educational institutes to have a student union for promoting the general interests of its members or other matters relating to the affairs of the students in educational institutions.

**d. Statistical Data***Registration of NGOs**\* includes numbers of pending applications from 2010*

<i>Year</i>	<i>Applications</i>	<i>Rejected</i>	<i>Pending</i>	<i>Processed</i>	<i>Grounds for Rejection</i>
2019–2020	86	0	40	46	Corrupt practices,
2020–2021	205	0	142	63	incomplete
2021–2022	282	58	176	118	documentation,
2022–2023	355	37	148	170	non-responsiveness, and
Dec 2023	169	61	1	107	non-compliance with
					regulatory requirements
<b>Total</b>	<b>1 097</b>	<b>156</b>	<b>507</b>	<b>504</b>	

*Source:* Securities and Commission of Pakistan.**20. Rights of the Child****a. Minimum Age for Marriage**

148. Pakistan is actively working towards harmonizing its laws and setting the minimum age of marriage at 18 for both girls and boys. In a landmark judgment, the Federal Shariat Court ruled in *Farooq Omar Bhoja vs. Federation (Shariah Petition 1/2020)*, that the prerogative to set the minimum age for marriage lied with the state and was not against the Islamic Law. In 2022, the Islamabad High Court in *MumtazBibi v Qasim (W.P No. 4227 of 2021)* also ruled that the marriage of children under the age of 18 was unlawful and the marriage contract void *ab initio*.

149. The MoHR and NCSW are also in process of consultation with stakeholders to build consensus on the amendment of Child Marriage Restraint Act 1929 for introducing the age of marriage as 18 years for both sexes.

150. Abduction or kidnapping is a culpable crime under PPC. A total of 74 cases of early and forced marriages were registered across the country during the reporting period. The victims of forced marriage are generally provided legal support as well as accommodation in the shelter homes and are also provided if required with rehabilitation and counselling services.

**b. Measures for Child Registration at Birth**

151. Implementing the birth certificate requirement has significantly increased child registration with union councils, cantonment boards, and Local Government and Community Development Departments. The decrease in processing fees for registration has resulted in a higher number of registrations. NADRA has issued 64,960,566 children's Child Registration Certificates up to 2023.

**21. Participation in Public Affairs****a. Measures to Promote Minority and Women Participation**

152. The Election Commission of Pakistan (ECP) actively ensures inclusivity and representation of religious minorities and women in the electoral process. The Elections Act, 2017 includes women-specific provisions to encourage women participation in the political and electoral process and for increasing political participation and representation of the marginalized groups.

153. In particular, section 206 of the Act ensures that 5% of the general seats' tickets are awarded to women. Furthermore, the Act mandates that returns from any constituency where women's turnout was less than or equal to 10 percent be nullified.



154. The ECP has also taken several initiatives during the 2018 and 2024 elections to increase the role of women in the electoral process. Every constituency in the Pakistan has established women-only polling stations with female staff to encourage female voter turnout. The ECP also conducts spot checks of female polling stations to confirm conducive environment for female polling staff with basic facilities such as provision of clean drinking water, washrooms, and ramps at polling stations.

155. The Commission has also drafted a Gender Mainstreaming and Social Inclusion Framework (GMSIF) due to be launched in 2024.

156. During the period of 2018 to 2022, a 17% increase was recorded in the registration of female voters with 54.9 million female voters registered in 2022, compared to the 46.8 million in 2018.

157. Furthermore, during the 2024 elections, 27 female candidates were elected on direct seats as compared to 16 women in 2018. A total of 882 women participated, with 312 contesting for National Assembly seats and 570 for provincial assembly seats, indicating a notable rise in female candidates compared to previous elections.

#### **b. Women Representation in Decision-Making Roles**

*Status of female entrepreneurs in decision-making roles 2018–2023*

1. No. of Women in position of CEO's in Organizations	7 051
2. No. of Women in position of Directors in Organizations	35 215

*Source:* Securities and Exchange Commission of Pakistan.

#### **c. General Elections 2024**

158. The Constitution and the Elections Act 2017 empowers the Election Commission to uphold fairness, address illegalities, and impose penalties for violations, strengthening the dedication to transparent elections. There is a robust legal framework with disciplinary measures, offenses, and penalties to deter activities compromising the integrity of elections.

159. Despite security concerns and logistical challenges, the 2024 elections saw an impressive voter turnout, highlighting the public's unwavering dedication to democracy. Furthermore, the polling process was conducted peacefully, with no significant violence or disruptions reported. The elections led to a wide array of parties and candidates winning seats in parliament, showcasing the country's vibrant political environment.