



NATIONAL COMMISSION  
FOR HUMAN RIGHTS

Ensuring Equity : NCHR Pakistan's

---

# GOVERNANCE MANUAL

*August 2023*



**NATIONAL COMMISSION  
FOR HUMAN RIGHTS**

**Ensuring Equity : NCHR Pakistan's**

---

# **GOVERNANCE MANUAL**



A governance manual is a critical tool for ensuring transparency, accountability, and ethical behavior within an organization. It provides a reference point for all stakeholders, including board members, executives, employees, and external partners, to understand and follow the established governance framework. Additionally, it helps organizations maintain compliance with applicable laws and regulations while upholding their mission and values

## **RABIYA JAVERI AGHA**

*Chairperson, NCHR*



# TABLE OF CONTENTS

1. Introduction - At a Glance	1
2. Strategic Plan	9
3. Parliamentary Working Group	88
4. Monitoring and Reporting Committee	90
5. Monitoring Follow-up Committee	92
6. Jail Oversight Committee	94
7. Internal Audit Committee	96
8. Hiring & HR Management Committee	99
9. GANHRI Committee	101
10. Finance & Audit Committee	104
11. External Engagement Working Group	106
12. Coordination Committee – TOR	108
13. Coordination Committee for Coordination with Regional Offices	110
14. Complaint Handling Working Group	112
15. Advisory Committee Additional Information	114
16. Advisory Committee NCHR Pakistan	119
17. Synopsis of the Protection Against Harassment of Women	122
18. The Protection against Harassment of Women at the Workplace Act, 2010	124
19. The Protection against Harassment of Women at the Workplace (Amendment) Act, 2022	140
20. Anti harassment Committee	146
21. Roles & Responsibilities of Chairperson and Members NCHR	148
22. Appendix A - Code of Conduct Chairperson / Members	155
23. Appendix A - Code of Conduct Employees	168
24. Appendix A - SOP Manual	182
25. Appendix A - NCHR Service Rules / Recruitment Rules	196
26. Appendix A - Organogram	214
27. Appendix A - NCHR Budget Allocations	216



# 1

## Introductions

---

# AT A GLANCE



**NATIONAL COMMISSION  
FOR HUMAN RIGHTS**

# **NATIONAL COMMISSION FOR HUMAN RIGHTS PAKISTAN**

---

## **AT A GLANCE**

---



**CHAIRPERSON  
NCHR**

RABIYA JAVERI AGHA



**MEMBER/COMMISSIONER  
BALOCHISTAN**

FARKHANDA AURANGZEB



**MEMBER/COMMISSIONER  
KPK**

TARIQ JAVED



**MEMBER/COMMISSIONER  
PUNJAB**

NADEEM ASHRAF



**MEMBER/COMMISSIONER  
SINDH**

ANIS HAROON



**MEMBER/COMMISSIONER  
MINORITY**

MANZOOR MASIH

## INTRODUCTION

The National Commission for Human Rights (NCHR) is a federal statutory body set up in 2015. It is an independent National Human Rights Institute (NHRI) developed under the Paris Principles. Pakistan is signatory to ICCPR, ICESCR, CRPD, CAT, CEDAW, CRC, and CERD.

## FIVE CORE FUNCTIONS



# NCHR



01

**Judicial Mandate**



02

**Legal Monitoring**



03

**Policy  
Advisor**



04

**Knowledge  
Production**



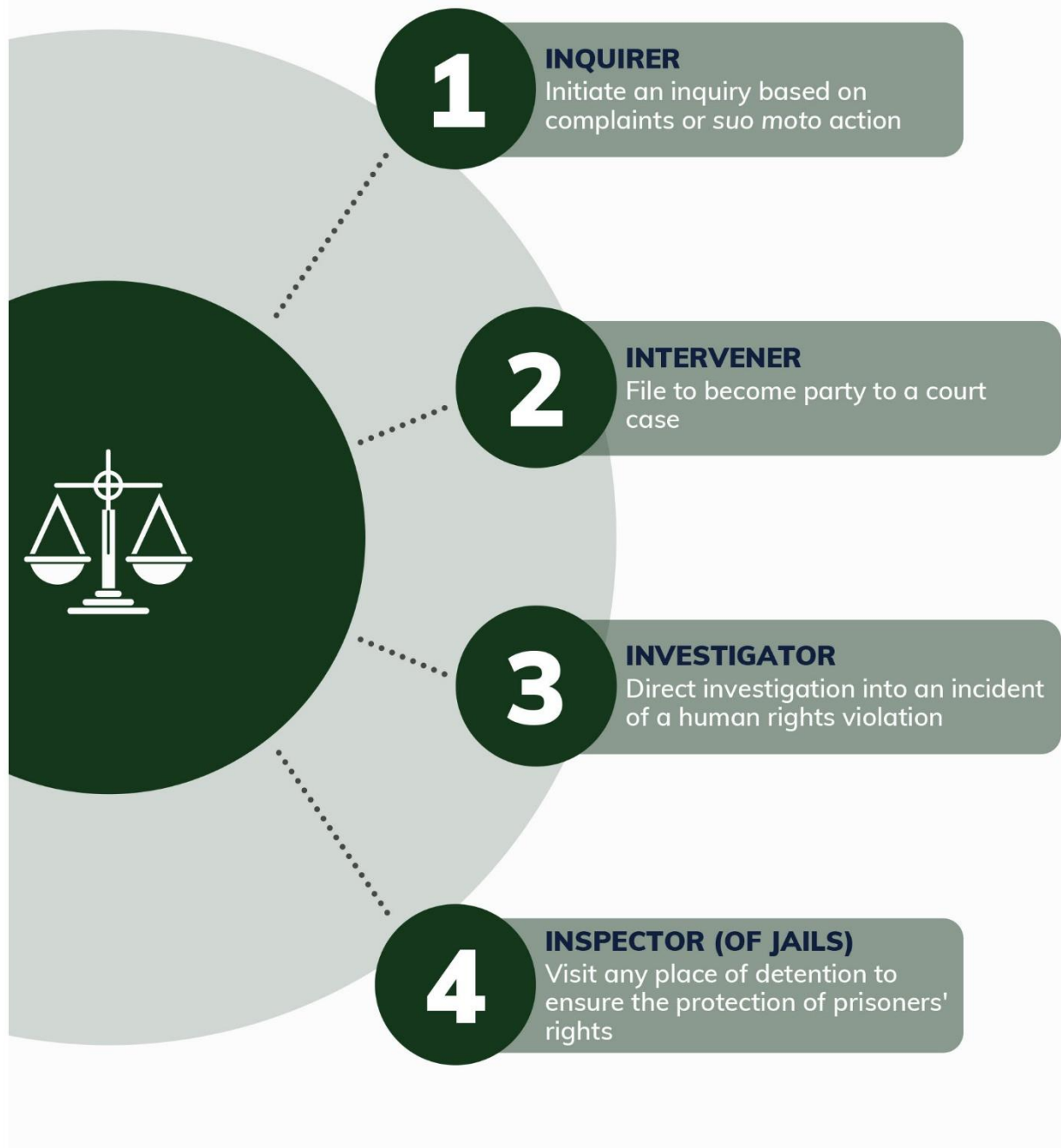
05

**Advocacy & Awareness**



## JUDICIAL MANDATE

NCHR's judicial mandate has four types of interventions and related processes. NCHR is the only human rights institute with the powers of a civil court and the ability to take *suo moto* action.



## LEGAL MONITORING

Oversight of structural and processual legislative matters.



**REVIEW EXISTING  
LEGISLATION**



**PROPOSE  
AMENDMENTS/NEW  
LEGISLATION**



**MONITOR  
IMPLEMENTATION**

**DOMESTIC PURVIEW**

Recommendations for effective implementation of treaties, and other international instruments.



**REVIEW INTERNATIONAL  
TREATIES**



**ADVISE GOVERNMENT  
ON RECOMMENDATIONS**

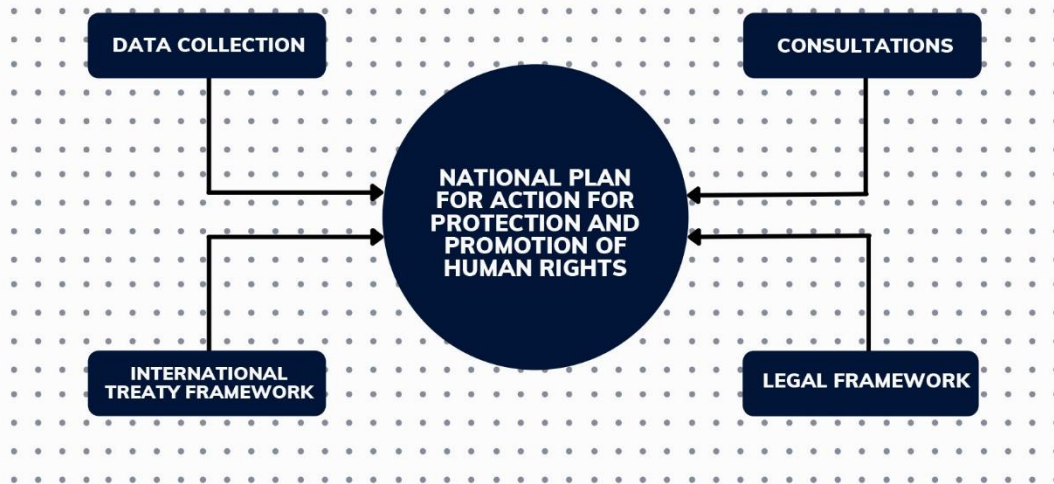
**INTERNATIONAL PURVIEW**

## POLICY ADVISOR

Develop a comprehensive, multi-pronged strategy for human rights protection and promotion. Advise the government on issues pertaining to human rights.



Develop National Action Plan for human rights in Pakistan



Review factors restricting enjoyment of human rights, and suggest remedial measures



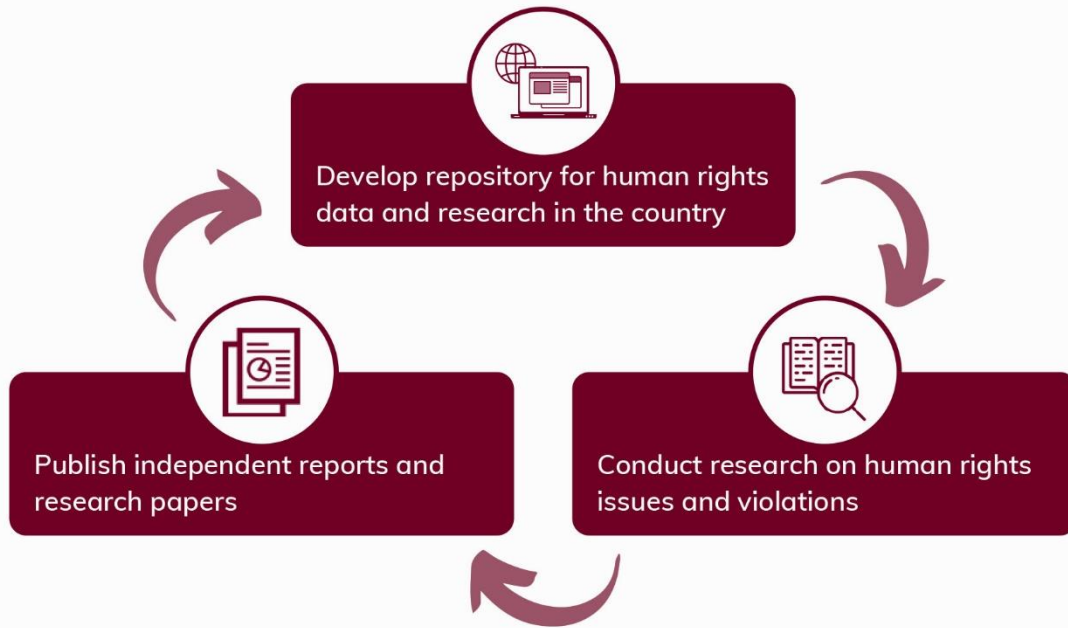
Submit independent reports and policy briefs to the government



Alternate treaty body reporting (in addition to official government communication)

## KNOWLEDGE PRODUCTION

Develop reports, data, and research on human rights.



## AWARENESS & ADVOCACY

Contribute to human rights awareness and advocacy initiatives.

-  Rights awareness through advocacy campaigns and media
-  Showcase and elevate latest research on human rights issues
-  Develop human rights modules and trainings



# 2

Section

---

## STRATEGIC PLAN



NATIONAL COMMISSION  
FOR HUMAN RIGHTS

# Strategic Plan Report

NATIONAL COMMISSION FOR HUMAN RIGHTS

2021 - 2024

*Developed with the support of  
Huqooq-e-Pakistan and the European Union*





# CREDITS

## **Author**

*Dr. Osama Siddique*

## **NCHR Oversight**

*Rabiya Javeri,  
Chairperson NCHR*

*Shazil Malik,  
Project Manager*

## **Design and Layout**

*Aliza Aslam*

*Published June 2022*

---

National Commission for Human Rights - **Strategic Plan (2022-2025)**



# TABLE OF CONTENTS

	<b>Foreword by Chairperson NCHR Rabiya Javeri</b> -----	<b>1</b>
	<b>1. Introduction and Executive Summary</b> -----	<b>2</b>
	<b>2. Methodology, Key Questions, and Chapter Themes</b> -----	<b>6</b>
	<b>3. NCHR’s Legal Mandate and the Need for Rationalization</b> -----	<b>8</b>
	<b>4. NCHR’s Core Functions - Further Prioritization and Focus</b> -----	<b>12</b>
	<b>5. NCHR’s Core Functions - Defining Parameters, Criteria, and Focus</b> -----	<b>18</b>
	<b>6. NCHR’s Core Functions - Substantive Areas of Choice</b> -----	<b>27</b>
	<b>7. NCHR’s Impact - Strategies for Boosting Recognition, Traction, and Impact</b> ----	<b>39</b>
	<b>8. Performing Core Functions - Institutional Capacity Building</b> -----	<b>46</b>
	<b>9. Main Actions Undertaken/to be Undertaken</b> -----	<b>51</b>
	<b>Annexure A: Bibliography and Consultations</b> -----	<b>60</b>
	<b>Annexure B: List of Participants in Stakeholder Consultations</b> -----	<b>61</b>
	<b>Annexure C: Questions Used for Internal and External Deliberations</b> -----	<b>66</b>
	<b>Annexure D: Functions of the Commission</b> -----	<b>68</b>
	<b>Annexure E: Inquiring, Fact-Finding, and Intervening Functions of the Commission</b> -----	<b>70</b>

---

National Commission for Human Rights - **Strategic Plan (2022-2025)**



# FOREWORD



**RABIYA JAVERI**

CHAIRPERSON

*National Commission for  
Human Rights (NCHR)*

As the second team of the National Commission for Human rights has finally been appointed, the NCHR is now functional once again and committed to work towards the protection and realization of human rights throughout the country. NCHR's vision is to see a progressive Pakistan where the human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, the Commission is committed to fulfilling its mandate of promoting the human rights of all citizens.

The Commission's role and functions are unique: an autonomous and impartial body formed through an Act of Parliament, the NCHR's mandate is in line with Paris Principles and the Constitution of the Islamic Republic of Pakistan, 1973. It has the capacity to advise the Government on Pakistan's commitment to fulfilling its international human rights obligations under the seven core international human rights instruments Pakistan is a signatory to and has ratified: ICCPR, ICESCR, CRPD, CAT, CEDAW, CRC, and CERD.

NCHR's distinguished position further allows it to act as a liaison between the Government and civil society organizations. NCHR's pivotal role of working with civil society organizations and its extensive mandate allow for it to monitor, observe, directly investigate, raise awareness, inquire into complaints and make recommendations to the Government of Pakistan pertaining to human rights issues across the country. The National Commission for Human Rights Act, 2012 specifically allows the Commission multiple powers such as the authority to inquire and investigate into complaints of human rights, submit an application to court to become a party of a case involving human rights, perform jail visits, make recommendations for the amendment or adoption of new laws and make recommendations for the implementation of international human rights instruments.

To formulate this Strategic Plan 2022-2025, NCHR held stakeholder consultations in each province and in the Islamabad Capital Territory. We engaged with over 175 civil society organizations, government departments, human rights activists, and INGOs to identify the strategic functional and thematic priority areas for the Commission going forward. This strategic plan identified 5 priority core functions, including NCHR's role in complaint redressal, as a legal watchdog, as a policy advisor, in awareness raising and advocacy, and in enabling research on critical issues. These consultations also allowed NCHR to identify seven thematic priorities that the Commission will focus on, including defence of human rights defenders; human rights education; violence against vulnerable groups; acts of discrimination; the rights to free speech, political association and assembly; minority rights, and the right to life.

# 1

## Introduction and Executive Summary

### 1.1 Introduction

The National Commission for Human Rights (NCHR) is a federal statutory body set up in 2015. It is the outcome of Pakistan's constitutional commitments as well as its international treaty commitments to promote and protect human rights. In this regard, it has been granted a wide mandate which encompasses multiple ways and means to pursue its stipulated goals. Very concisely, it is envisioned, inter alia: to monitor, investigate, and hear human rights complaints; act as a watch dog on legislation, set standards, and enable implementation; promote awareness of and act as an advocate for human rights; generate and enable research and data production on human rights; and drive policymaking for human rights protection.

To date one Commission has completed its terms and after an interregnum of almost two and a half years the current Commission has started functioning under its newly appointed Chairperson. Given this disruption as well as constantly escalating challenges for human rights protection in a dynamic, evolving, and often turbulent milieu, NCHR recognizes the need to reassess its role in promoting and protecting human rights. Therefore, it sets out to reexamine its mandate; take stock of its past performance; reassess current challenges as well as expectations from stakeholders and public at large, particularly vulnerable groups from all quarters of society; take cognizance of its capacity and assess the constraints; and determine as well as realign, as required, its priorities with an overall strategy to effectively meet clearly laid down goals.

This Strategic Plan (the 'Strategic Plan') has been developed by NCHR with the active support of the Senior Strategic Process Expert of the Huqooq-e-Pakistan Promotion of Human Rights in Pakistan Project (the 'Consultant'). It is envisioned to be an evolving document, intended to respond to changing circumstances whilst adhering to the core assumptions, assessments, and prescriptions that it puts forward.

### 1.2. Executive Summary

1) The recommendations made in this Strategic Plan are with full cognizance of, informed by and against the contextual backdrop of the following past and recurrent challenges, constraints, and imperatives faced by NCHR:

- a) Delays and issues pertaining to process of appointment of Chairperson and Members
- b) NCHR's continuing budgetary, human resource, and financial constraints
- c) Impediments to NCHR's administrative autonomy
- d) Imperative for NCHR to maintain a clear and unequivocally autonomous stance as the apex body for promotion and protection of human rights in Pakistan
- e) Need for role clarification as well as rationalization in view of resource constraints, weight of public expectations, and prioritization of areas in terms of their significance and impact

- f) Need to identify areas of comparative advantage and avoid overlap in a complex and well-populated human rights organizational landscape
- g) Need to ensure availability and application of a regulatory framework of rules, SOPs, etc.,

2) In view of the above, this Strategic Plan provides the rationale for and adopts the following:

**a) NCHR ought to rationalize its mandate for greater focus, clarity, and impact.** In other words, it should organize and consolidate its multiple roles and responsibilities under the Act under a few Core Functions Areas and then concentrate all its resources on interventions and outputs under those Core Functions

**b) The five Core Functions** identified in this Strategic Plan are:

- i) Complaint Redressal
- ii) Legal Watchdog
- iii) Research/Enabling Research on Critical Issues
- iv) Awareness and Advocacy
- v) Policy Advisor

**c) Priority Core Functions.** Of the five Core Functions identified, this Strategic Plan prescribes that the following three be adopted as Priority Core Functions. This is because NCHR has been endowed with distinctive powers and responsibilities to perform these Priority Core Functions and can have a wide and palpable impact through their performance. Further, no other similar entity or institution has been endowed with these functions and hence it is essential that NCHR prioritizes them:

- i) Complaint Redressal
- ii) Legal Watchdog
- iii) Policy Advisor

**d) Other two Core Functions.** These are not distinctive to NCHR, and many institutions and organizations have the track record and expertise of performing these roles. Therefore, this Strategic Plan prescribes that NCHR collaborate and partner with credible institutions and organizations to perform the following functions, gaining from their expertise, leveraging its name to highlight their credible work, and saving resources to strengthen its Primary Core Functions:

- i) Research/Enabling Research on Critical Issues
- ii) Awareness and Advocacy

**e) NCHR as a custodian and driver of the national human rights debate.** In addition to the five Core Functions this Strategic Plan envisions an overall leadership role for NCHR. It lays out additional interventions in this role, most particularly the preparation of an annual State of Human Rights in Pakistan Report.

**f) Adoption of intervention criteria, primary outputs, and KPIs.** Within the five Core Functions, this Strategic Plan prescribes the adoption of several specific criteria

for intervention, primary outputs, and KPIs. It further prescribes that NCHR should exercise its 'Complaint Redressal' role in only select areas while keeping in view the intervention criteria and decision parameters suggested, in order to be more effective. Also, since it does not have the resources to entertain a large number of petitions or take multiple suo moto actions, and undertake multiple interventions, investigations, and inspections. The essential idea is to select signature cases for intervention that have a broad and larger institutional and/or societal impact. At the same time NCHR must remain constantly alert to any emerging issue of significance that would merit its intervention. Annexure E provides a legal assessment of the scope of NCHR's 'Complaint Redressal' powers. This Strategic Plan also puts forward specific outputs and KPIs for its Priority Core Functions of 'Legal Watchdog' and 'Policy Advisor.' As to its remaining Core Function of 'Research/Enabling Research on Critical Issues' it again delineates and elaborates that NCHR ought not to assume the role of researcher but enable research, showcase good research, and collaborate on research and data collection and analysis projects. As to the Core Function of 'Awareness and Advocacy,' again this Strategic Plan abides by the perspective that NCHR ought to focus on collaborations and partnerships.

**g) Substantive areas of focus.** The Strategic Plan also documents and analyzes stakeholder feedback from the national and provincial capitals and highlights the most significant and commonly quoted priorities for NCHR's substantive prioritization.

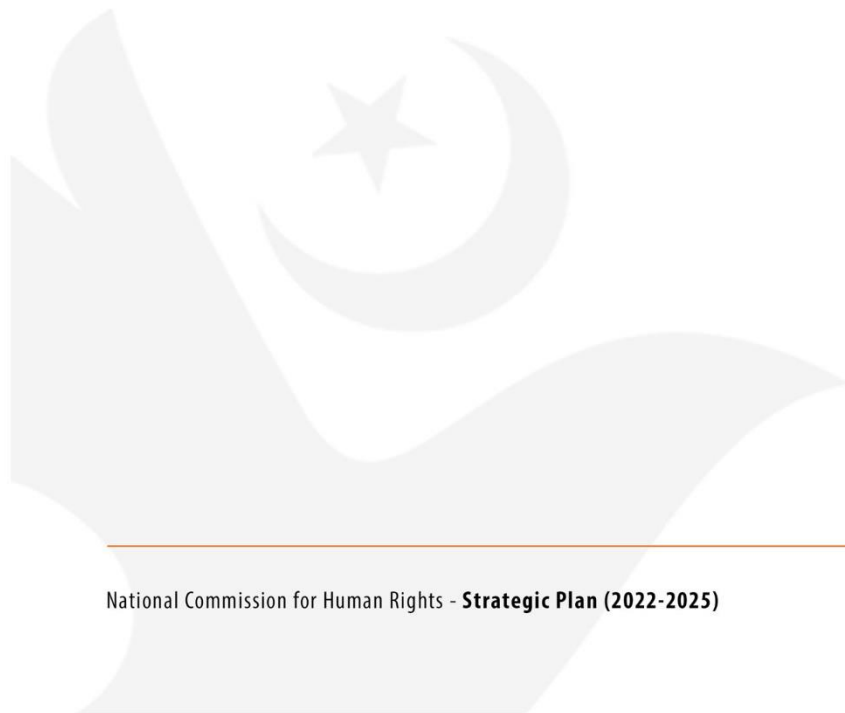
**h) Boosting NCHR's recognition and impact.** The Strategic Plan also makes specific recommendations for further boosting NCHR's recognition and impact in the following areas:

- i) NCHR's Normative Ethos
- ii) NCHR's Role Clarification
- iii) NCHR's Institutional Autonomy and Capacity
- iv) NCHR's Institutional Approach
- v) NCHR's Role Communication and Access
- vi) NCHR's Leadership Role amongst other Commissions
- vii) NCHR's Partnership with Civil Society Organizations
- viii) NCHR's Other Institutional Collaborations
- ix) NCHR's Communication Strategy
- x) NCHR's International Accreditation

**i) Strengthening technical capacity.** Given its current financial constraints and personnel shortage this Strategic Plan envisions that NCHR should build capacity and expertise through tapping and utilizing external human resources and collaborations, whilst concentrating available resources on hiring key experts and consultants. It identifies and elaborates upon the following mechanisms to boost NCHR's networks and expertise:

- i) Advisory Committee (for overall direction, building networks, additional credibility)
- ii) Core Domain Experts (with expertise in the areas of law, data management, marketing, and monitoring and evaluation)

- iii) Expert Panel(s) (for pro bono technical advice and expertise)
- iv) Consultants
- v) Partnerships and Collaborations



This Strategic Plan is the outcome of literature review, extensive engagements, and detailed deliberations with NCHR leadership and key stakeholders in five cities (the four provincial capitals and the national capital) (documents consulted for this Strategic Plan are indicated in **Annexure A** hereto; institutional affiliations of participants in stakeholder consultations are provided in **Annexure B** hereto).

A questionnaire was prepared for internal and external deliberations and stakeholder consultations were guided by a power point presentation that sought stakeholder feedback on what ought to be NCHR's functional and substantive institutional priorities both before and after sharing of detailed information on its legal mandate (the list of questions used for the deliberations is provided in **Annexure C** hereto).

This Strategic Plan is essentially based on the examination of three broad questions, which in turn have multiple related sub-queries. These are:

- 1) What ought to be NCHR's functional focus and prioritization?
- 2) What ought to be NCHR's substantive areas of focus?
- 3) What steps should NCHR undertake to effectively perform its functions in its substantive areas of prioritization?

The starting point in terms of the determination of NCHR's functions and roles is its governing law. **Annexure D** presents the applicable provisions from the National Commission of Human Rights Act, 2012 laying out NCHR's functions.

**Section 3** of this Strategic Plan undertakes an assessment of the governing law, consolidates the various stipulated functions into five Core Functions and provides a rationale for the same.

**Section 4** of this Strategic Plan endeavors to provide additional institutional focus and sub-divides the Core Functions into Priority Core Functions and lesser priority Core Functions, providing a rationale for the same. It also identifies an additional Core Function.

**Section 5** further elaborates on the Core Functions and lists specific steps that need to be undertaken to have even further specificity, prioritization, and direction as to what needs to be done under the Core Functions over the next three years. In this regard it puts forward intervention criteria, outputs, and KPIs.

**Section 6** focuses on possible substantive areas of focus for NCHR, particularly in view of stakeholder feedback.

**Section 7** focuses on additional ideas generated during deliberations and consultations to boost NCHR's recognition, traction, and impact under nine important themes.

**Section 8** discusses various ways to boost NCHR’s domain expertise and human resource capacity.

**Section 9** lists the main recommendations of this Strategic Plan.



# 3

## NCHR’s Legal Mandate and the Need for Rationalization

### 3.1 NCHR’s Legal Mandate - Functions, Roles, Powers

Human rights commissions invariably have broad and all-encompassing mandates. Further, they are expected to perform their rights protecting and promotional roles in dynamic and multifarious ways. This is because the human rights spectrum itself is complex, broad, and variegated and the nature of these rights cross-cutting. Additionally, human rights can be diluted, undermined, and violated in multiple direct and indirect ways. Commissions, therefore, must be keenly mindful of how inequities and discrimination can be normative, structural, processual, symbolic, and/or manifest. This then necessitates that to be impactful commissions are endowed with a broad scope, multiple functions, an array of roles, and many powers.

At the same time, realistically speaking what a particular commission in a particular context will focus on and prioritize will be the outcome of various determining factors that including, inter alia, the following: nature and extent of rights violations in a social context; the commission’s core mission; the commission’s past trajectory, experience, successes and failures, interventions for which it won recognition, as well as current momentum; the resources at the disposal of the commission; the ideological bent and vision of its leadership and team; the commission’s administrative, financial, and human resource capacity; societal expectations and pressures; expectations of the international community; the opportunities for and obstacles to interventions, and strategic choices to build recognition, support, capacity, and make a potent and sustainable impact; extant areas of influence and networks; and areas that are neglected by everyone as well those on which various organizations already work.

In terms of broadness of scope and multiplicity of functions, NCHR therefore, is no exception. Its functions are laid out under S. 9 of the National Commission of Human Rights Act, 2012 (the “Act”). The Act expectedly offers a wide range of functions, roles, and powers that NCHR is expected to perform. Sections 9 (a) to (k) of the Act lay out eleven (11) distinct roles, ranging from the broad to the specific, and provide further elaboration of the various facets of these functions. Sub-section (l) also empowers NCHR to perform “such other functions as it may consider necessary for the promotion of human rights”. The functions of the Commission as laid out in the Act are reproduced in **Annexure D**.

Section 9 (a) for instance, endows NCHR with the power to inquire suo moto or upon petitions by victims or any person on their behalf, into complaints of (i) violation of human rights or abetment thereof; or (ii) negligence, in the prevention of such violation, by a public servant. This throws up multiple possibilities in terms of ambit, focus, and coverage of human rights complaints. However, this is only one of eleven (11) functions distinctly delineated for NCHR to perform and whilst the Act says that “The Commission shall perform all or any of the following functions,” we necessarily read the statute as desiring a broad oversight role and performing as many of these functions as possible but leaving their prioritization to NCHR itself.



## 3.2 NCHR's Functions - The Case for Rationalization

At the very outset of deliberations on the Strategic Plan it became evident that meaningful strategic planning would require closely re-examining NCHR's legal mandate and rationalizing its intended functions to a more manageable number of overarching key functional areas. This was because of the following reasons:

1) As said, while human rights commissions all over the world are deliberately extended a wide scope of work to ensure that robust rights protection doesn't suffer from any unnecessary constraints, all such commissions identify and determine their focal points of concentration, priorities and strategic choices based on a whole host of factors. NCHR is no exception and since Section 9 does not propose or mandate any prioritization and sequencing, NCHR itself must determine the same. It is simply not possible for it to perform all its stipulated functions with the same focus and resource commitment. Its task becomes easier if it first reorganizes and rationalizes its stipulated functions according to their common features and thereby reduces the number of overall functions.

2) If it were to adopt a truly functional approach and reduce and reorganize its broad functions NCHR could then concentrate on identifying what skillsets are required to perform a particular function and hence what types of resources as well as approaches are needed for the same. This makes the job of organizational structuring, human resource management, and performance evaluation simpler and more coherent.

3) A major challenge currently faced by NCHR is its acute resource constraint - both financial as well as human. For an entity of such significance, and entrusted with such a broad and complex mandate, NCHR has historically been acutely under-funded and under-resourced. Further, the two-and-a-half-year gap in the appointment of the new Chairperson has meant that the commission was rudderless for a long time and many key administrative support positions remain unfilled, unutilized parts of the already slim budget lapsed, new positions of people with vitally needed domain expertise could not be identified and filled, and there was crucial loss of momentum and direction in terms of work that had been started by the first Commission. Being a nascent institution, as it is NCHR does not have much past performance and established networks, systems, and processes to build on and is therefore even more in need of simpler, pragmatic, and well-thought out goals. Such goal setting ought then to be adopted and pursued as a regular and dynamic exercise.

## 3.3 Moving towards Greater Functional Focus - The Five Core Functions

Focusing first purely on the Act to ensure comprehensive coverage of legally mandated roles it emerged that NCHR has essentially been entrusted with five (5) overarching Core Functions that encompass its eleven (11) stipulated functions. These roles are distinct from each other and involve very different kinds of planning, interventions, operations, processes, skills, and approaches. Apart from multiple detailed internal deliberations with NCHR's Chairperson and all

available Members, these rationalized roles were also put forward for discussion in all five stakeholder consultations. The five (5) Core Functions are as follows:

- 1) Complaint Redressal
- 2) Legal Watchdog
- 3) Research/Enabling Research on Critical Issues
- 4) Awareness and Advocacy
- 5) Policy Advisor

Figure A below further describes the above Core Functions in terms of their scope and ambit.

**NCHR’s Complaint Redressal function** involves a quasi-judicial role, an investigative role, and a monitoring role.

**NCHR’s Legal Watchdog function** involves acting as a human rights watchdog to ensure provision of constitutional and legal safeguards for human rights in laws, proposing such standards: through amendment of existing laws or adoption of new laws; examining administrative measures for effective implementation and proposing amendments to the same or adoption of additional measures; and also making recommendations for effective implementation of treaty obligations.

**NCHR’s Research/Enabling Research on Critical Issues function** includes both undertaking research and promoting it (qualitative as well as quantitative), maintaining a database, and submitting independent reports to the government on the state of human rights.

**NCHR’s Awareness and Advocacy function** includes spreading human rights literacy, promoting awareness of human rights safeguards through various means, and norm development.

**NCHR’s Policymaking function** includes reviewing factors inhibiting enjoyment of human rights and recommending remedies as well as developing a national plan of action for human rights promotion and protection.



**Figure A: NCHR’s Five Core Functions - Scope and Ambit of Roles**

Figure B below presents these five Core Functions with further elaboration of what they entail, highlighting the specific kinds of interventions and outputs pertaining to the same, delineated in the Act. Further, the relevant section references are also indicated.

At times the components of a particular sub-section fit better under different Core Function areas. For instance, under Section 9 (g) while “undertake and promote research in the field of human rights, maintain database on the complaints on violence of human rights received” are Research/Enabling Research on Critical Issues activities, “development of human rights norms” fits better under the Awareness and Advocacy function. Further, some of the roles can fit under two Core Functions and hence have been indicated as such. For instance, under Section 9 (e) “reviewing factors, including acts of terrorism, that inhibit the enjoyment of human rights and recommending appropriate remedial measures” can lead to both legislative and/or policy recommendations. Hence it can fit under the Legal Watchdog function and/or the Policy Advisory function.



**Figure B: NCHR’s Five Core Functions - Types of Interventions and Outputs**

Figure C below illustrates that the above functional division and consolidation also further clarify that NCHR, as defined by any one of these Core Functions, has distinct, though equally valuable, impact. This further underlines the need to be mindful of how NCHR must ensure that it protects and promotes human rights at different levels and in different ways to maximize its impact. It is evident that while certain interventions have immediate impact, others take effect in the long-term. Also, that while some focus on individual cases, others are directed at processes, systems, institutions, vulnerable groups, and society at large.



**Figure C: NCHR’s Five Core Functions - Nature of Impact**

## 4

# NCHR's Core Functions - Further Prioritization and Focus

## 4.1 The Hierarchy within the 5 Core Functions - Key Deliberations

The legal and administrative mandate provided under the Act served as the starting point for determining the nature, ambit, and scope of NCHR's functions. Subsequent institutional as well as stakeholder deliberations have helped to consolidate and rationalize the same under five Core Functions. However, the legal framework is only one of multiple determining factors when it comes to strategic vision setting and prioritization. Additional factors were identified and used for further deliberating on NCHR's strategic vision including, inter alia, the following:

- 1) The institutional landscape - the other players and the roles they play (to avoid duplication and explore collaboration)
- 2) NCHR's trajectory, past priorities, and areas of strength
- 3) Vision and priorities of current NCHR leadership
- 4) Diverse stakeholder feedback
- 5) Existing institutional capacity and constraints
- 6) Areas of comparative advantage
- 7) Jurisdictional and role overlaps with other commissions and institutions
- 8) Any additional factors

Given this analytical framework, the questions raised in internal and external deliberations were as follows:

- 1) What ought to be NCHR's primary areas of functional focus?
- 2) Why should NCHR be focusing on these Core Functions?
- 3) What should be the practical next steps for NCHR to be impactful in these Core Functions?
- 4) What ought to be done for greater collaboration with relevant provincial bodies, other institutions and departments?

## 4.2 The Hierarchy within the 5 Core Functions - Outcomes, Rationale, Direction

Given the internal and external deliberations the following strategic priorities emerged in terms of the five Core Functions.

### 4.2.1. Complaint Redressal

**Strategic Priority:** This Strategic Plan envisions Complaint Redressal to be a Priority Core Function for NCHR. This function, however, has four types of interventions and related processes, namely:

- 1) NCHR's role as an inquiring body/court (in turn on complaint or suo moto)
- 2) NCHR's role as an intervener in on-going court proceedings
- 3) NCHR's role as an investigator into human rights violations
- 4) NCHR's role as an inspector of jails etc.

The Strategic Plan envisions that NCHR will prioritize its role as an inquiring body/court, an intervener, and an investigator.

**Rationale:** NCHR's role as an inquiring body/court is unique amongst other Pakistani rights commissions, none of which have been given such a role and power and, therefore, it is important that it utilizes it for maximum impact. Further, being a quasi-judicial forum has great resonance in our legal and social context and imbues NCHR with added gravitas and perception of power. The law stops short of endowing NCHR with the power to give a verdict and decree implementation - hence it is not a court in the strict or full sense - but even the powers to call witnesses, gather evidence, require furnishing of information etc., provides it the opportunity to meticulously take up important human rights issues and build a substantiated and persuasive case for rights implementation. The success of such interventions will, however, depend a lot on how much traction and credibility NCHR develops in coming months so that its stances and considered advice have the weight of public support behind them and are, therefore, hard to ignore.

The Act endows NCHR with suo moto powers as well which lends great flexibility for it to itself choose and intervene in important areas. With flexibility also, however, comes responsibility and NCHR will have to devise transparent selection criteria for both selecting and admitting petitions for hearing as well as exercising its suo moto powers. Similarly, it will prioritize its power to intervene in on-going proceedings but again by adopting meaningful selection criteria. Further elaboration on this is provided in Section 5 of this Strategic Plan.

Investigations led by rights commissions in significant areas of human rights violations are a tested way of impacting national policy. They also have great popular resonance, and any successful intervention helps build the stature and credibility of the commission. This Strategic Plan, therefore, envisions that NCHR will carefully identify and lead such high-profile thematic investigations or investigations directed at particularly pernicious violations as a matter of priority.

NCHR's role as an inquiring body, intervener, and investigator was also prioritized by the first commission and in that sense, this will be a continuation of the same and can build on any momentum and track record that exists. There was also support for the prioritization of this role amongst NCHR's leadership and the diverse stakeholders consulted. However, given the resource constraints there is a need to further fine-tune and be very selective in terms of areas of involvement, which will be discussed further in Section 5 of this Strategic Plan.

In terms of NCHR's role as an inspector under this Core Function the Act refers to inspection of "any jail, place of detention or any other institution or place under the control of the government or its agencies, where convicts, under trial prisoners, detainees or other persons are lodged or detained." This is a function that NCHR shares with other institutions as well - provincial commissions as well as federal - and merits coordination and collaboration to avoid overlap.

#### 4.2.2. Legal Watchdog

**Strategic Priority:** This Strategic Plan emphasizes NCHR's key role as a watchdog to ensure adequacy of human rights protections in laws, to meet its mandate to propose suitable amendments and new laws, and to extend recommendations when needed for adoption or amendment of administrative measures for their effective implementation.

**Rationale:** NCHR is the apex rights protection watchdog in the country and unlike other commissions and entities it is the custodian of all human rights and not a particular sub-set thereof. Therefore, its scope of oversight and purview not only extends to all laws but also, importantly, to administrative measures for their implementation. It is mandated to ensure provision of human rights safeguards in the country's laws and to that end can not only propose legal amendments but also new legislation. Further, NCHR is also entrusted with the task of making recommendations for effective implementation of treaties, other international instruments and reports submitted by Government of Pakistan on them, including the comments thereon. This is, therefore, a Core Function of vast scope and one that can potentially have a deep and structural impact which would not only benefit individual victims, but also vulnerable groups, and citizenry at large. It can be curative as well as preventive in terms of future human rights violations. This, therefore, shall be an area of high priority for NCHR.

Importance was attached both in internal as well as stakeholder consultations to this Core Function due to the uniquely vast ambit entrusted to NCHR; the potential impact at structural and processual levels; and the opportunity to not just ensure textual protection but also implementation (which is where even the good laws routinely flounder). Given its scope of powers, this is an area of comparative advantage for NCHR and to the extent that there are overlaps with other commissions in terms of legal, administrative and treaty review, there can be cooperation and collaboration for synergies and avoidance of duplication. However, given the narrower mandates of other commissions there will be several areas where no one will be playing the role of a watchdog except for NCHR. Further elaboration on what ought to be done for greater focus and impact in the performance of this Core Function is provided in Section 5 of this Strategic Plan.

#### 4.2.3. Policy Advisor

**Strategic Priority:** This Strategic Plan also acknowledges and embraces the significance of NCHR's key role as a policy advisor. This is both because it is an area of maximum, longer-term and widest impact, and the state seldom allows a non-state entity to have significant say in policymaking, and also because the Act very specifically delineates that NCHR come up with a National Plan for Action for Protection and Promotion of Human Rights.

**Rationale:** While NCHR values the opportunity of playing a policy role in general, there is understandably some hesitation as to the development of a National Action Plan given the vast scope and scale of the task of coming up with such a plan. However, this ought to be perceived as a multi-phase and incremental task that should be pursued with a two-year time horizon. Also, it can be greatly supported and contributed to by consolidation of existing and on-going work on various aspects and sectors of human rights that many credible non-governmental, governmental, and private organizations and departments are already undertaking. Many of these are desirous to collaborate and partner with NCHR, as became very evident during the

various stakeholder consultations. The significance of this Core Function in general cannot be underestimated as it empowers NCHR with a policy agenda setting role which can be of great potential impact. It would also allow NCHR to provide a platform to multiple credible rights organizations in the country, thereby making the rights protection agenda-setting and deliberations more democratic, participatory, and rigorous. Further, it will also greatly help forge alliances and partnerships with these organizations which would be essential as NCHR proceeds to promote and protect human rights at multiple levels.

One counterargument is that the Ministry of Human Rights already has a national action plan since 2015. To this the response is that whilst the Ministry of Human Rights has a dual role of being a state representative as well as a custodian of citizens' rights it is ultimately molding and helping lay out state policy in an official paradigm and is bound to be influenced by other, and at times conflicting, state policy imperatives, including the state security policy as well as its commerce and foreign policies. NCHR on the other hand has a nexus with the state but is designed, meant to and endeavors to be autonomous. It may at times have a different conception of prioritization and protection of human rights than the Ministry of Human Rights. From a citizen and societal standpoint, therefore, it is very important to have that independent perspective and vision.

Further, even the Ministry of Human Rights comes within the NCHR's purview when it comes to its role as a watchdog over state compliance with constitutional, legal, and international treaty safeguards for human rights. While developing this plan NCHR will endeavor to remain closely cognizant of existing and developing provincial human rights action plans and work in tandem with provincial human rights commissions to build a coherent and collective national vision. Unlike the provincial commissions, NCHR has a higher and national vantage point which means that it can also help push towards higher and more uniform standards across the board, even while it caters to local and regional contextual factors and considerations. At the same time, NCHR plans to engage with important non-state/societal human rights monitoring entities such as Human Rights Commission of Pakistan (HRCP) to potentially collaborate on common causes and strategies. Further elaboration on what ought to be done for greater focus and impact in the performance of this Core Function, specifically the development of the National Action Plan, is provided in Section 5 of this Strategic Plan.

Notwithstanding all the above, the NCHR can also put forward by a year or more the development of a National Action Plan if it feels that it needs to first consolidate itself, build resources and streamline delivery on the other Core Functions and initially furnish policy advice in a more limited manner.

#### **4.2.4. Research/Enabling Research on Critical Issues**

**Strategic Priority:** This Strategic Plan considers NCHR's Research/Enabling Research on Critical Issues role as a Core Function but of lesser significance than the three Core Functions already discussed.

**Rationale:** There are several reasons for NCHR placing this Core Function on a somewhat lesser priority than its Core Functions of Complaint Redressal, Legal Watchdog, and Policy Advisor:

- 1) Given its resource constraints NCHR is not in a position to become a vibrant researcher on human rights. That requires having a robust research staff and building such a research team has proven to be a challenging prospect in the local milieu even for well-funded universities.
- 2) Good research has a long gestation period in terms of translating into output. Also, its impact, though very valuable, is hard to measure, and given huge public expectations and the challenging state of human rights in the country, NCHR is well-advised to focus on interventions with more visible and immediate impact.
- 3) Quite a few organizations and institutions in the country are already conducting human rights research and NCHR doesn't have any comparative advantage over them to also undertake such research. It is much better placed to showcase their work; provide it a platform given its prestigious status; and play a part in setting the research agenda by collaborating with select institutions. In other words, it should get involved in enabling, showcasing, steering, and consolidating important human rights research in the country rather than conducting it itself.

The Act also indicates that NCHR should maintain a database of complaints of human rights violations. Again, NCHR currently has no resources and domain expertise in data collection and analysis. However, modern human rights protection and promotion is not possible without empirical basis of support. Hence NCHR intends to play an important role towards consolidating all credible data available from state and non-state sources under its platform; propose new indicators for data collection; and collaborate with other entities to analyze available data to gauge the state of human rights in the country. To this end the data it intends to help collect, consolidate, and analyze will go far beyond mere data on human rights complaints, and cover multiple indicators.

This is a Core Function for which this Strategic Plan envisions that NCHR focus on building the right collaborations and partnerships and act as a champion, a platform, and an enabler and supporter. This would allow it to focus its resources on the priority Core Functions that no one else has been mandated to perform or not adequately performing even if mandated. Further elaboration on what ought to be done for greater focus and impact in the performance of this Core Function is provided in Section 5 of this Strategic Plan.

#### 4.2.5. Awareness and Advocacy

**Strategic Priority:** This Strategic Plan considers NCHR's awareness generation and advocacy role as a Core Function but of lesser significance than the three priority Core Functions already discussed.

**Rationale:** There are solid reasons for NCHR placing this Core Function on somewhat lesser priority than its Core Functions of Complaint Redressal, Legal Watchdog, and Policy Advisor. Awareness generation and advocacy of human rights is a well populated terrain in Pakistan with several state, societal, and private sector players already involved in these activities. These activities require special skillsets and experience, and networks help tremendously. Development of technology and emergence of social media have provided many new avenues, methods, and techniques for rights awareness generation and advocacy and many existing entities have demonstrated expertise in the same. Once again, the nascent NCHR has no existing resources and domain expertise in these areas or any comparative advantage.



However, as in the case of the Core Function of Research/Enabling Research on Critical Issues, NCHR has the credibility of position and legal mandate to showcase existing awareness generation and advocacy campaigns; provide these an addition platform given its prestigious status and play a part in the designing of future awareness and advocacy campaigns while collaborating with select partners. In other words, NCHR intends to get involved in enabling, showcasing, steering, and collaborating on awareness generation and advocacy campaigns in all types of media and other avenues and platforms.

This is, therefore, a Core Function for which this Strategic Plan envisions that NCHR focus on building the right collaborations and partnerships and act as a champion, a platform, and an enabler, partner, and supporter. This would allow it to focus its resources on the priority Core Functions that no one else has been mandated to or is performing. Further elaboration on what ought to be done for greater focus and impact in the performance of this Core Function is provided in Section 5 of this Strategic Plan.

#### 4.2.6. Custodian and Driver of National Human Rights Discourse

**Interventions and Rationale:** Implicit in all the functions and roles entrusted to NCHR under the Act is the expectation that it plays an overall leadership role to inform, provide shape to, and guide the national discourse on human rights. May this be in terms of informing or advocating, driving policy, ensuring legal safeguards and their implementation, enabling knowledge and data production, or addressing complaints. The sum of all these parts is the role of overall custodian and leader that can then entail additional interventions that this Strategic Plan will lay out and elaborate upon in Section 5. In this context it may be noted that Section 9 (l) of the Act allows NCHR to perform such other functions that it may consider necessary for the promotion of human rights.

Figure D below diagrammatically represents the three priority Core Functions at the top and the two lesser priority Core Functions at the bottom. Also indicated is the additional function as overall custodian and driver of national human rights debate, which in turn is linked with and manifests also through the Core Functions of Policy Advisor, Research/Enabling Research on Critical Issues and Awareness and Advocacy.



Figure D. Prioritization of Functions

## 5

# NCHR's Core Functions - Defining Parameters, Criteria, and Focus

Having identified and adopted three priority Core Functions and two lesser priority Core functions as well as an additional Core Function, it is important to further circumscribe, analyze, and elaborate upon what NCHR shall be doing within the same and how.

This in turn, along with Sections 6, 7, and 8 of the Strategic Plan will help develop a Work Plan and Action Plan for the next three years.

## 5.1 Complaint Redressal

The four types of interventions and related processes under this Core Function are, namely:

- 1) NCHR's role as an inquiring body (on complaint or suo moto)
- 2) NCHR's role as an intervener in on-going court proceedings
- 3) NCHR's role as a monitor of investigations into human rights violations
- 4) NCHR's role as an inspector of jails etc.

It is important to first examine how legally circumscribed NCHR's powers are, particularly in relation to its quasi-judicial role, as an intervener, and an investigator. The detailed legal assessment is provided in **Annexure E**. The upshot is provided below.

### 5.1.1 NCHR's role as an inquiring body (on complaint or suo moto)

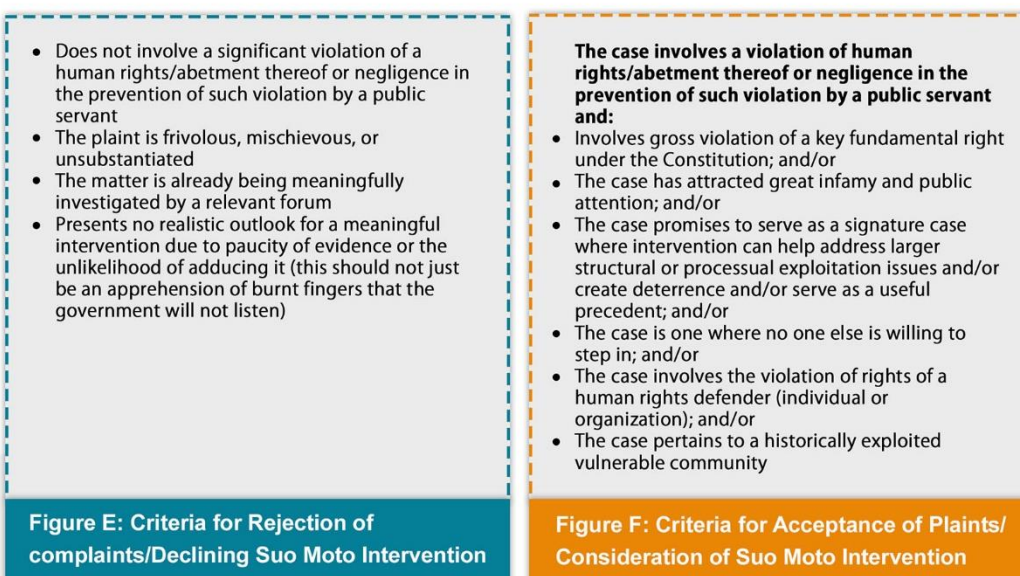
While NCHR has been given important fact-finding powers to aid it in his complaint redressal function, after it has completed its fact-finding, it can only make recommendations. Therefore, whether it entertains a complaint or makes a suo moto intervention, after conducting its fact-finding by utilizing its quasi-judicial powers, it can only:

- 1) Recommend to the concerned government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit.
- 2) Recommend to the concerned government or authority the grant of immediate interim relief to the victims or the members of his family

In other words, it can neither give a verdict nor ensure its enforcement. Its court powers have been deliberately left truncated. They are essentially recommendatory and ultimately it depends on the response and goodwill of the government to embrace and follow-through with the execution of its recommendations. Much would, therefore, depend on not just how NCHR collects and presents evidence and builds a case but also on how much leverage it enjoys vis-à-vis the concerned government or authority due to the public and societal support for its stances and actions. This makes the presentation, showcasing and publicizing of its stances and recommendations as important as the rigor of its fact-finding.

What is also very important is that NCHR be very selective in terms of which complaints it entertains and which it filters out and where it makes a suo moto intervention. This is because the strength of the merit of the issues it chooses to take up will have a strong bearing on whether its recommendations have a realistic chance of being adopted and implemented.

NCHR's resource constraints inhibit it from becoming a forum that can entertain a large number of complaints. At the very outset NCHR, will therefore, adopt a clear set of criteria for selection of complaints as well as for suo moto interventions. The following are the criteria. In order to qualify for being entertained, the petition or a suo moto intervention must not fall foul of any of the requirements in **Figure E**. It then must meet one or more of the criteria in **Figure F**. In other words, **Figure E** presents a filter with disqualifying criteria. However, it is not sufficient for a plaint or possibility of suo moto intervention to simply escape disqualification in order to be entertained. It must meet one or more of the requirements in **Figure F**. Obviously the more criteria it meets under **Figure F** the stronger the case for admitting a plaint or a suo moto intervention. **Figure G** indicates criteria for intervention in an on-going proceeding.



### 5.1.2 NCHR's role as an intervener in on-going court proceedings

NCHR has also been empowered to intervene in any proceeding involving any allegation of violation of human rights pending before a court by filing an application for becoming a party to the proceedings before such a court. Once again NCHR needs to make a judicious decision when to intervene in a case. Unlike the previous scenario where it admits a complaint or makes a suo moto intervention, here the matter is already sub judice and hence there ought to be a good reason for NCHR to apply to become a party and assist the court. The legal ambit of what it can do in such a role is explained in **Annexure D** to this Strategic Plan. **Figure G** below indicates the criteria for selection of cases where NCHR ought to consider intervening. After ensuring that the case involved a human rights issue NCHR will undertake an assessment

whether its intervention meets any or all the indicated criteria. The more criteria met the greater the justification to intervene.

**Figure G**

- The case presents an opportunity for determination of deeper structural and processual safeguards, and NCHR can meaningfully assist the court in going beyond a narrow judgment; and/or
- The case has attracted considerable public attention and its outcome will have wide-ranging ramifications and NCHR's becoming a party will have an important symbolic value; and/or
- Becoming a party to the case will help overcome any impediments or perceived reluctance to reaching a just outcome; and/or
- NCHR can add value by sharing rigorous feedback on meeting due process and fair trial requirements in the case or on any additional area of rights protection

**Figure G: Criteria for Intervention in On-Going Court Proceedings**

### 5.1.3 NCHR's role as an investigator into human rights violations

NCHR's investigative role has two possible facets:

- 1) Directing investigations and inquiries into Human Rights violations
- 2) Human rights violations investigation missions

#### 1) Directing investigations and inquiries into human rights violations

The Act empowers NCHR to direct investigation and inquiry in respect of any incident of violation of human rights. What is less evident is the level of oversight that NCHR can exercise in terms of any investigation emanating from its direction to the police and the investigative agency and this appears to be an area where it can and ought to extend close oversight for things to get to a desirable and conclusive end. The choice of area where to direct an investigation and inquiry again requires adoption of some clear criteria for decision-making to make optimal and resource efficient decisions.

This power has obviously been provided to be exercised where no investigation or inquiry has started even though a human rights violation has come to light (due to institutional negligence, pressure by influential people, etc.) or where NCHR is privy to some such violation and the information may not have necessarily become public or come to the attention of concerned authorities. Having ascertained an investigation and inquiry hasn't already started NCHR shall decide to direct an investigation and inquiry provided some prequalification criteria met. **Figure H** below indicates two criteria, either of which must be met before NCHR decides to direct an investigation or inquiry.

**Figure H**

- The case involves a clear human rights violation which has come to light and yet no investigation and inquiry has been initiated or
- The case involves a clear human rights violation but has not come to light and concerned authorities may or may not be informed and no investigation and inquiry likely without NCHR intervening

**Figure H: Criteria for Directing Investigations and Inquiry into Human Rights Violations**

## 2) Human rights violations investigation missions

In addition to the above there is nothing barring NCHR from also undertaking human rights fact-finding missions on its own to gather evidence, engage directly with citizens and build a relationship of trust, and develop evidence backed reports and recommendations. NCHR can co-opt additional members for such fact-finding missions and ask the government for assistance and facilitation. Such strategically chosen interventions can greatly boost NCHR's stature and provide it the vital opportunity of stepping out and visiting actual locales and contexts of human rights violations and thus not restrict itself to merely receiving complaints and information in Islamabad. Close coordination with provincial and local human rights bodies will be essential for the success of such human rights investigation missions and will also deepen partnerships and collaboration with them.

### 5.1.4 NCHR's role as an inspector of jails etc.

This Strategic Plan envisions that while NCHR can undertake such inspections it needs to prioritize the other Core Functions because such inspections are also entrusted to other institutions and various departments routinely conduct jail visits. Close coordination with them would ensure there is no duplication. Also, NCHR ought to rely on data and assessments conducted by other bodies and utilize the same to focus on structural and processual level issues to have a more abiding impact through broader jail reforms, quality of lives of inmates, and the transparency and efficiency of processes for undertrial prisoners.

## 5.2. Legal Watchdog

The Strategic Plan identifies and adopts NCHR's role as a legal watchdog as one of its priority Core Functions. The following are important facets of this Core Function.

Point of Intervention: During stakeholder consultations an important question was raised about the timing of NCHR's intervention. The extant understanding is that NCHR should step in once a bill has become the law. Otherwise, it could be meddling in the legislative process. However, what if there are serious concerns that the bill is being developed through an opaque or non-consultative process. Related to this also is the argument that the emerging law will be assailed at multiple levels due to this opacity or non-consultative nature and hence both process fairness and efficiency imperatives require that NCHR point out these issues. The weight of the argument, however, still rests with the conventional view and the language of the statute also affirms that NCHR should only review laws that have been promulgated. It will in any event be very hard to determine when and where to intervene given that coming up with a new law is a fluid, incremental, and complex process. Also, NCHR would find it very hard to not be accused of impairing or biasing the process. Furthermore, its ambit of work is very vast and it does not have the resources to also start reviewing bills that have not graduated to become laws. Consultative process opacity or non-transparency or inadequacy could, however, be factors to keep in mind when NCHR reviews a law.

Scope of Review: NCHR has been entrusted with reviewing the safeguards provided by the Constitution of Pakistan or any other law for the time being in force for protection of human rights and recommend: (a) adoption of new legislation (this suggests undertaking gap

identification and filling those gaps); (b) amendment of existing laws; (c) adoption or amendment of administrative measures for their effective implementation; and, (d) examination of any legislation upon the request of the government and submission of its views thereon and comments on the implication of the same for legislation. In addition, NCHR is also mandated to: (e) review factors (including acts of terrorism) that inhibit enjoyment of human rights and recommend appropriate remedial measures. Further, it is required to: (f) read treaties and other international instruments on human rights and reports submitted by the government on them (including comments thereon) to make recommendations for their effective implementation.

**Outputs and KPIs:** The substantive focus of its role as a watchdog will come from the thematic and substantive prioritization it undertakes but the above analysis helps determine the following outputs and KPIs for this Core Function. This is of course not a totally mechanical exercise. Some laws are more significant and complex than others. Some provision of safeguards and streamlining of implementation much harder to bring about and more deeply and widely impactful than others, and this qualitative difference will necessarily be considered in any assessment of NCHR's performance. However, given its statutory mandate the following will be the essential performance indicators. **Figure I** below lays out identified outputs and KPIs for NCHR's Core Function as Legal Watchdog.



### 5.3 Policy Advisor

This Strategic Plan regards NCHR's role as Policy Advisor a priority Core Function. This role received much attention in the stakeholder consultations. While some interlocutors felt that NCHR ought to focus on its SDG and GSP+ commitments as well as various international treaty commitments under CRC, CEDAW etc., others emphasized a bottom-up approach informed by ground realities in terms of rights protection and therefore engagement with existing and on-going work by local rights organizations. Most of the discussants felt that NCHR ought to start work on a National Action Plan and aim for an output on a two-year time horizon. They felt that the Policy Making and Legal Watchdog Core Functions were also linked as development of the former would necessarily require review of laws as well as legal and treaty implementation

frameworks. A key question was whether NCHR would rely on existing data or also collect new data and undertake specific investigative work. It was underlined by all participating that while developing a policy NCHR ought to ensure meaningful consultations, have a clear timeframe, be cognizant of cross-cutting issues, and propose an implementation framework. One plausible option discussed was partnering with different organizations with core expertise and experience in different areas to work on different aspects of the National Plan of Action. **Figure J** below lays out the key steps and sequence for developing a National Plan of Action.

- Determination of the scope and focus of the National Plan of Action (areas, sectors, processes, laws, implementation frameworks)
- Determination of indicators
- Initial stakeholder deliberations on scope and focus of National Plan of Action and relevant indicators
- Determination and finalization of areas, indicators, methodology (sources of quantitative and qualitative data, any new data to be collected, any investigations)
- Allocation of different parts of the National Plan of Action to different partners to work in collaboration with NCHR
- 6-month review of progress
- Annual review of progress and deliberations over emerging National Plan of Action
- 18-month review of progress and wider dissemination for stakeholder feedback
- Finalization and release of National Plan of Action and its implementation framework (2 years from start)

**Figure J: Core Function as a Policy Advisor - Development of a National Plan of Action for Protection and Promotion of Human Rights (Key Steps and KPIs)**

## 5.4 Research/Enabling Research on Critical Issues

NCHR can potentially assume any position on a spectrum of possibilities where at one end it can become a full-fledged research institute that regularly generates reports and analysis, and at the other end it sub-contracts all research and data collection and acts as an enabler of research and a platform for promotion of research and knowledge production on human rights in Pakistan.

This Strategic Plan does envision NCHR developing its own critical research and data analysis capacity through the hiring of a core team and producing some essential research and analysis (discussed in Section 5.6). This is also necessary because without such institutional capacity it would not be able to inform its other Core Functions, create an intellectual dialogue within NCHR, and gauge good research and data from the bad. However, this Strategic Plan maintains that Research/Enabling Research on Critical Issues is an area where NCHR would be much more impactful and effective as an enabler of, and platform for, highlighting relevant knowledge production and dissemination. This is due to both its lack of resources and relative experience in the area as well as the fact that various credible organizations and institutions in society are producing valuable work that it can utilize and put to good use. At the same time, it ought to be and intends to be a reservoir and consolidator of research and data and a facilitator for anyone looking for credible information in the context of Pakistan. Access to research and data and lack of availability under one roof was pointed out as a major problem by many stakeholders.

Recurrent issues with data in Pakistan have to do with its quality and disaggregation. The country's international reporting also suffers at times due to data quality and coverage issues as well as conflicting narratives emerging from contradictory datasets from official and societal sources with both blaming the other of inaccuracy. NCHR can play a very beneficial part in collating, quality-checking, and providing easy access to all available credible data (from official and non-official sources, academia, research institutes, legal aid call centers) and introducing greater fairness and objectivity in the same. That would also help transition national reporting from a reactive to a proactive ethos.

Further it can play an important role by guiding and prevailing upon existing governmental mechanisms for data collection to cover more bases and explore additional paths. Often there is also reluctance by the government to deem credible any data that comes from non-government sources, even though increasingly many credible organizations are involved in data collection and analysis, and also conducting important inter-sectional research. NCHR, provided it develops the capacity, can and intends to play a very useful role in broadening the ambit of what is officially embraced as credible data and act a useful part so that data is collected and analyzed under a greater number of indicators and at additional levels of disaggregation. At the same time NCHR can identify areas of neglected research.

NCHR can and intends to then partner with credible organizations in analyzing the data and drawing insights and lessons from the same (especially in terms of where human rights violations take place). It is hoped that the research and data collection and analysis benchmarks that NCHR helps develop would assist and facilitate provincial commissions in their work as well. **Figure K** below presents the key steps and KPIs pertaining to NCHR's role as an enabler of research on critical issues.



## 5.5 Awareness and Advocacy

The rationale that applies to Section 5.4 above applies equally to this area which is why this Strategic Plan regards it as a lesser priority Core Function. There is no doubting of course the tremendous value rights awareness generation and advocacy have for protection and



promotion of human rights. However, once again this is an area where various Pakistani institutions have a credible track record and experience, are willing to collaborate and partner with NCHR, and working with them and showcasing their work would allow NCHR to not only play an effective role in the same but also free up its resources to focus on priority Core Functions that no one else is working on. There was strong support from the stakeholders on the need for NCHR to work closely with civil society in the areas of awareness generation and advocacy. This would also help tremendously in building a rich and meaningful human rights discourse that is something that Section 5.6 below focuses on.

A significant and recurrent theme that emerged in all stakeholder consultations and found tremendous support pertained to inclusion of human rights modules in educational curricula and training at all levels. The absence of the same was remarked upon with great alarm. There is no doubt, due to a wealth of existing research and empirical evidence, that early and meaningful exposure to the idea of human rights plays a major role in informing and sensitizing people about the necessity and value of human rights and thereby helps develop valuable norms and values protective of the same. To this end NCHR was exhorted upon to make necessary interventions by developing educational curricula and modules in consultation with relevant stakeholders.

An additional idea pertained to NCHR developing a helpline that would not only help address generic human rights queries but furnish additional data. This requires further consideration of whether it would be possible given resource constraints and also whether it would focus on complaint redressal or data collection or both.

Figure L below presents the key steps and KPIs pertaining to NCHR's role in terms of human rights awareness generation and advocacy.



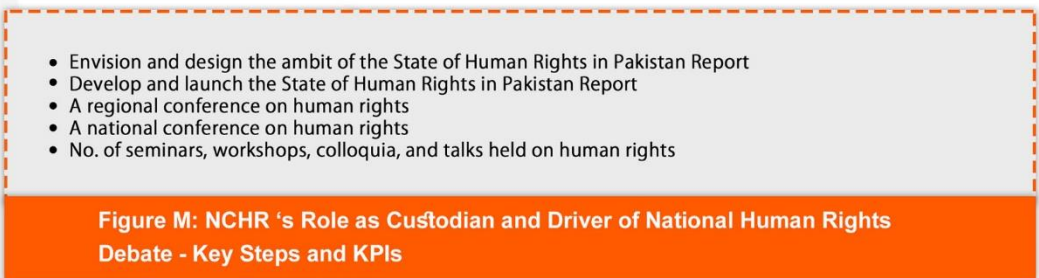
## 5.6 Custodian and Driver of National Human Rights Debate

An underlying theme that permeates all of NCHR's legally endowed functions is that it is expected to play an overall leadership role to build and sustain a meaningful human rights discourse in society. It has been specifically mandated under the Act to build human rights norms. It sits in a unique position where it interfaces with players local and international. It has an overview of the various textual, structural, normative, and processual impediments to the

sustenance of human rights. Performance of its various functions makes it closely cognizant that human rights is not just a legal concept and phenomenon but also something that is defined and influenced by political, economic, cultural, social, and other factors and that all these factors also have multiple and complex interlinkages. By dint of its position, it has institutional engagements: at the federal, provincial, and local levels; bi-lateral and multi-lateral exposure to international institutions; government, semi-government, and public-private organizations; independent institutions; civil society; NGO sector; private sector, and individual citizens. It is very familiar also with the various global contestations within the human rights discourse – Universal vs Cultural Relativist; Traditional vs Modern; Developed vs Developing; Colonial vs Post-Colonial; Pre-Industrial vs Post-Industrial; Religious vs Secular etc. Given this unique vantage point it feels that it has a great responsibility to play a leadership role in terms of norm-setting, custodian, and discourse/debate agenda setter.

Therefore, quite apart from a standard annual report which presents activities undertaken by NCHR, resources utilized by it, its budgetary situation etc., during a financial year, this Strategic Plan envisions that NCHR produce an annual State of Human Rights in Pakistan Report (SHRPR). The SHRPR will stem from the research and data collection enabling role that NCHR will already be performing, will involve selection of key areas and indicators and present a crisp, objective analysis and assessment of how the country is faring in terms of its performance on human rights promotion and protection. NCHR may collaborate and partner with credible institutions for getting data and information for the report, but the final analysis and assessment shall come from itself. This is not meant to be a report of its own performance (that comes under the ambit of its Annual Report) but a macro assessment of the national situation which is organized according to various themes and regions. This would not only be NCHR's signature contribution every year, and provide an invaluable objective assessment and resource (that will also help raise its own profile), but also furnish a very useful year-by-year time series analysis of how things are improving and/or regressing along various evaluative indicators.

In addition, NCHR intends to further and deepen the discourse by holding conferences, workshops, and seminars. **Figure M** below presents the key steps and KPIs pertaining to NCHR's role as custodian and driver of the national human rights debate.



## 6

# NCHR's Core Functions - Substantive Areas of Choice

The Strategic Plan has so far focused on identifying, distilling, and defining NCHR's Core Functions from its vast legal mandate and further prioritizing those that it deems that it ought to pursue on a priority basis given multiple factors including, inter alia, stakeholder feedback, the vision of its leadership, its areas of comparative advantage, its historical direction and momentum, societal dynamics and demand, determination of areas that are neglected by all, and its resource constraints.

Unlike substantive themes/areas of human rights that are many, NCHR can protect and promote human rights in relatively limited ways. However, these different ways require different quantum of resources, expertise, and skills. Hence, the focus so far in this Strategic Plan on Core Functions for greater focus and better utilization of resources. Now that the Core Functions have been identified, NCHR can explore multiple substantive areas. Not only that, but it is also possible for it to adopt and focus on a particular substantive area and intervene in various ways under its Core Functions. For instance if NCHR is looking at the area of education and human rights it can: (i) engage with it at a legislative level and see if education focused legislation ensures promotion and protection of human rights; (2) address any blind spots or impediments at the policy level in its role as a policy advisor and formulate policy advice for incorporating human rights education in the curriculum; (3) collaborate on and support awareness and advocacy campaigns for making curricula, syllabi, and teaching pedagogy sensitive to human rights; and (4) produce or enable production of texts and materials on human rights that could be incorporated into curricula and training programs.

Whilst there are multiple areas that require attention, the extensive stakeholder consultations helped identify some key areas of special importance in the considered view of prominent and established individuals and organizations working in the field. What was also important to note was regional variations in terms of what was emphasized where and many stakeholders underlined the need for NCHR to tailor its strategic focus according to regional variations. Going forward NCHR will have to remain sensitive to this, as also to changing situations on the ground and emergence of new challenges and priorities. What the stakeholders said about functional priorities has already been incorporated in Sections 3, 4 and 5. What they said about institutional strengthening and building NCHR's brand name and platform will reflect in Section 7. This Section will essentially highlight the substantive areas of significance that stakeholders highlighted (Note. These are not in any order of priority. However, the areas that got the most attention across all stakeholder consultations and were discussed at length have been highlighted in green).

No	Themes/Areas	Summary of Stakeholder Feedback and its Rationale	Region	Relevant Core Function
1	Defending the defenders	<p>In several areas of the country human rights activists and organizations face government restrictions on their advocacy activities as well as on conducting human rights research, fact-finding, and surveys. At times, certain legitimate organizations are also refused registration. NCHR should firmly stand up for them. NCHR's own role in undertaking advocacy also becomes important in certain places because of such bans on local advocacy organizations.</p> <p>NCHR needs to undertake necessary steps to ensure that civil society organizations can work and function effectively in the country, without facing any persecution or hurdles. Once civil society is strengthened, it itself will ensure human rights protection.</p> <p>In other words, NCHR must protect the vital operational space for civil society organizations and also appreciate and support the work of younger organizations as well as young people involved in such work, especially when they face persecution and opposition</p>	KP Punjab Sindh Balochistan	Complaint Redressal  Awareness and Advocacy

		<p>from state, government, or a section of society.</p> <p>In addition, it should assess the professional capacity, focal areas, and financial strength of operational CSOs under a rigorous framework and collaborate with the most effective ones through appropriate interfaces, committees, working groups etc., at the provincial as well as district levels.</p> <p>There are issues also of intimidation of employees within human rights defending organizations that require attention.</p>		
2	Human rights education in general and its inclusion in curricula	It is essential that informative modules on human rights be included at all levels and types of education - not just in state and private educational institutions but also in madrassahs.	KP Punjab Balochistan	<p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
3	Training of journalists and other key players in human rights reporting and handling	Popular awareness of and sensitization to human rights depends a lot on the media's awareness and sensitization. Many journalists need training in how to cover and report human rights themes, issues, and violations. Through what should be a comprehensive	KP Islamabad Sindh	<p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p>

		<p>communication and media strategy, NCHR ought to offer trainings in collaboration with other suitable institutions.</p> <p>At the same time, other key players such as the police were also specifically mentioned as target audiences for requisite training in how to deal with human rights matters and it was proposed that NCHR play a role in the design of training modules. Quite apart from other benefits of sensitization, those trained in the police could also be expected to play an important role in protecting human rights advocacy campaigns and other interventions.</p>		Custodian of Discourse
4	Minority rights	<p>Protection of minority rights was frequently raised as one of the key areas for NCHR to focus on. In particular:</p> <ul style="list-style-type: none"> <li>• Issue of forced conversions of minority girls. The Forced Conversion Bill</li> <li>• Right of minorities to freely practice their religions (availability of <i>shamshan ghat</i>; right to wear a <i>kirpan</i>; observance of religious festivals; release of land adjacent to Hindu temples from illegal occupants, were some</li> </ul>	KP Punjab Sindh Balochistan	<p>Complaint Redressal</p> <p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>

		<p>specifically mentioned themes)</p> <ul style="list-style-type: none"> <li>• Persecution and targeting of minorities by mob violence</li> <li>• Quotas and access to better jobs</li> <li>• Demeaning minority community specific advertisements for hazardous and undesirable jobs such as sanitation work</li> <li>• Need for more data and research on economic empowerment and rights protection of minorities</li> <li>• Protection of status of Christian institutions</li> <li>• Persecution of particular communities under certain laws</li> <li>• Plight of minority labor colonies in big cities and lack of access to sanitation and health services</li> <li>• Minorities and access to justice issues</li> <li>• Need for Minorities Commissions at federal and provincial levels for specific focus and a special board under NCHR</li> <li>• Implementation of 5% job quota reserved for minorities</li> <li>• Allocation of 2% educational quota in</li> </ul>		
--	--	---	--	--

		<p>higher education in all provinces (like in Punjab)</p> <ul style="list-style-type: none"> <li>• Introduction of minority representatives on statutory bodies at federal and provincial levels to ensure presence at all levels</li> <li>• Increase in national and provincial assembly seats for minorities</li> <li>• Disrepair or illegal possession of temples, churches</li> <li>• Lack of sufficient graveyards</li> </ul>		
5	Disability Rights	<p>Specific issues were raised as to disability rights:</p> <ul style="list-style-type: none"> <li>• In KP the provincial Disability Bill still not a law as it rotated between assembly and law department, whereas in other provinces laws have materialized</li> <li>• Issues also, it was alleged, with changes made in bill without consultation with stakeholders as well as lack of on-going consultation with those originally consulted</li> <li>• Issues of access for disabled people to public and private buildings</li> <li>• Non-utilization of funds made available for disabled people</li> </ul>	KP	<p>Complaint Redressal</p> <p>Legal Watchdog</p> <p>Policy Advisor</p> <p>Awareness and Advocacy</p>



		<ul style="list-style-type: none"> <li>• The country not meeting international treaty obligations</li> <li>• Lack of proper census of Persons with Disabilities</li> <li>• Quotas for Persons with Disabilities</li> </ul> <p>NCHR asked to intervene if legislative process not transparent and consultative and the law that emerged flawed and non-representative</p>		
6	Transgender rights	<p>The transgender community in need of on-going protection given their status:</p> <ul style="list-style-type: none"> <li>• Issue of discrimination by hospitals against HIV+ transgender people</li> <li>• Acts of violence targeting transgender people</li> <li>• Lack of refuge centers for trans-persons</li> </ul>	KP Sindh	<p>Complaint Redressal</p> <p>Awareness and Advocacy</p> <p>Policy Advisor</p>
7	Former FATA/Newly Merged Districts (NMDs)	<ul style="list-style-type: none"> <li>• Multiple issues of curbs on political activity and rights advocacy. Issues of access to justice. Need guidance on how they can seek recourse to NCHR</li> <li>• Radicalization of youth</li> </ul>	KP	<p>Awareness and Advocacy</p> <p>Policy Advisor</p>
8	Discrimination of any kind that violates the principles of equal status/treatment under the law,	At times even calling out such discrimination has huge symbolic value and essential that NCHR always does that	KP Sindh Islamabad	<p>Complaint Redressal</p> <p>Policy Advisor</p>

	diversity, inclusion, and plurality	<p>Need for multiple steps for ensuring diversity and representation of all voices, especially in national policymaking and laws and their implementation. Essential for NCHR to play its role in this</p> <p>The Christian Sanitary Workers case that NCHR currently pursuing is a recent and important intervention in the area. The campaign has seen good traction and the government has committed to ensure compliance to the demands of NCHR.</p>		<p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
9	The neglected groups. Focusing on those usually neglected in the rights discourse	These include relatively neglected demographic groups in troubled areas such as the youth, women, children, migrants, and the elderly, as well as those dwelling in areas that have been routinely overlooked in the purview of rights commissions, such as rural and far-flung areas. Fact-finding missions are an essential intervention in this regard	KP Balochistan	<p>Complaint Redressal</p> <p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
10	Bonded labor/child labor/labor rights	<p>Multiple challenges were pointed out in terms of labor rights:</p> <ul style="list-style-type: none"> <li>• Persistence of child labor</li> <li>• Denial of unionization to various classes of</li> </ul>	Punjab	<p>Complaint Redressal</p> <p>Policy Advisor</p> <p>Awareness and Advocacy</p>

		<p>workers such as garment workers</p> <ul style="list-style-type: none"> <li>• Non-payment of wages for long periods such as lockdowns</li> <li>• Adverse employment terms and conditions</li> <li>• Discrepancy in definition of 'child'</li> </ul>		<p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
11	Right to life	<p>General and specific situations and cases pertaining to right to life were emphasized:</p> <ul style="list-style-type: none"> <li>• On-going challenges in terms of arbitrary deprivation of right to life, liberty, and property (the recent Nazim Jakhio case)</li> <li>• People made homeless in encroachment drives</li> <li>• Health rights awareness, assessment of where the system fails patients, and work towards improved access to health facilities</li> <li>• Arbitrary detentions</li> <li>• Human trafficking</li> <li>• The status of stateless/displaced people in Karachi</li> <li>• Missing persons/extra judicial abductions and killings</li> </ul>	<p>KP Punjab Sindh Balochistan</p>	<p>Complaint Redressal</p> <p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
12	Free speech and right of political association and assembly	<p>Particular focus on the diminishing space for free speech, political speech, and political and student union activity. Also including curbs on journalism and media (especially in terms of reporting on rights violations</p>	<p>KP Punjab Balochistan</p>	<p>Complaint Redressal</p> <p>Policy Advisor</p> <p>Awareness and Advocacy</p>

		in certain specific areas of the country)		Research/Enabling Research on Critical Issues  Legal Watchdog  Custodian of Discourse
13	Freedom of religion/religious radicalism/religious persecution	Various specific instances were frequently brought up: <ul style="list-style-type: none"> <li>• Forced conversions</li> <li>• Signing of peace deals with religious radical groups</li> <li>• Violence by lynch mobs, such as the tragic incident in Sialkot</li> </ul>	Punjab Sindh	Complaint Redressal  Policy Advisor  Awareness and Advocacy  Research/Enabling Research on Critical Issues  Legal Watchdog  Custodian of Discourse
14	Gender justice	An area of on-going importance with multiple facets. Participants emphasized the need to engage with NCSW as well as Provincial Commissions on the Status of Women (PCSWs) for a joint strategy  The literacy, educational and rights awareness challenges of rural women. The need to focus on those who influence these decisions and the particular problems posed by patriarchy	KP Punjab Balochistan	Policy Advisor  Awareness and Advocacy  Research/Enabling Research on Critical Issues  Legal Watchdog  Custodian of Discourse
15	Violence against vulnerable groups	Various aspects of this were highlighted:	Sindh Balochistan	Complaint Redressal

	(women, children, elderly, minorities, mentally challenged, transgenders, the poor, artists, others)	<ul style="list-style-type: none"> <li>• Terrorism and general escalation of violence in society</li> <li>• Gender based violence (GBV)</li> <li>• Early child marriage</li> <li>• Child abduction</li> <li>• Child molestation</li> <li>• Sexual harassment</li> <li>• Domestic violence</li> <li>• Rape and sexual violence</li> <li>• Criminal justice process and its treatment of women (investigation, medico-legal facilities, forensics)</li> <li>• Harassment of women in social sector itself</li> <li>• Women's shelters - availability and quality of care and protection</li> </ul>		<p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
16	Access to justice (due process, rights of accused persons including incarcerated persons, speedy justice, use of forensics, streamlining processes)	<ul style="list-style-type: none"> <li>• Speed of justice</li> <li>• Legal aid</li> <li>• Jirga/parallel systems of justice</li> </ul>	Sindh	<p>Policy Advisor</p> <p>Awareness and Advocacy</p> <p>Research/Enabling Research on Critical Issues</p> <p>Legal Watchdog</p> <p>Custodian of Discourse</p>
17	Economic disempowerment	Multiple facets of structural and processual disempowerment of various strata of society and their	Sindh	<p>Policy Advisor</p> <p>Awareness and Advocacy</p>

		resulting vulnerability to rights violations		Research/Enabling Research on Critical Issues  Legal Watchdog  Custodian of Discourse
--	--	--	--	---

**Strategic Plan 2017:** It is important, at this juncture, to also briefly visit the Strategic Plan prepared for NCHR in 2017. The 2017 Strategic Plan had the following five strategic priorities:<sup>1</sup>

- 1) Promoting human rights education
- 2) Addressing human rights violations (complaint handling and investigations)
- 3) Improving Pakistan’s compliance with its international obligations
- 4) Reviewing Pakistan’s national legal framework to increase protection and promotion of human rights
- 5) Addressing issues faced by marginalized and vulnerable groups

Examining the above from the analytical paradigm used in this Strategic Plan, items no. 1 and 5 above are areas of substantive focus that highlight human rights education and protection of marginalized and vulnerable groups. Whereas items no. 2-4 are NCHR’s functions, i.e., complaint redressal, acting as watchdog over treaty compliance and legislation to ensure human rights safeguards.

This Strategic Vision has bifurcated NCHR’s functions from its themes and after condensing and then prioritizing functions (which it intends to dedicate its resources to) it provides the flexibility for NCHR to select any number of substantive themes based on its assessment of the gravity of issues and then perform its appropriate functions. Based on the stakeholder consultations the seven most prominent substantive themes that many stakeholders spoke about and that present the potential of multiple and varied interventions are as follows (in no particular order):

- 1) Right to Life
- 2) Minority Rights
- 3) Free Speech and Rights of Political Association and Assembly
- 4) Acts of Discrimination
- 5) Violence against Vulnerable Groups
- 6) Human Rights Education
- 7) Defending the Human Rights Defenders

The Strategic Vision does, however, envision some specific interventions in the above areas over the next three years.

<sup>1</sup> NCHR also led fact-finding missions on children malnutrition in Tharparkar; Kasur child abuse case; and alleged human rights abuses in Balochistan as well as focused on the areas of change in procedure in blasphemy law, the land disputes in Okara, and illegal trade in human organs. It emphasized its role of complaint redressal and regularly heard complaints. Dialogues were also held with civil society and some collaborations and partnerships explored internationally. (Source: NCHR Strategic Plan 2017)

## 7 NCHR's Impact - Strategies for Boosting Recognition, Traction, and Impact

Quite apart from identifying NCHR's Core Functions and their desirable hierarchy as well as NCHR's substantive focus, internal deliberations and extensive stakeholder consultations were particularly productive for, inter alia, deliberating on and envisioning NCHR's ethos, overall role in the Pakistani human rights landscape, institutional approach, relationship with other relevant institutions and essential steps for becoming more effective.

Figure N presents the following main themes that emerged during and were discussed in these conversations as well as the broad considered consensus arrived as a result, even as different interlocutors dwelt on and emphasized different aspects of the same.

- 1) NCHR's Normative Ethos
- 2) NCHR's Role Clarification
- 3) NCHR's Institutional Autonomy and Capacity
- 4) NCHR's Institutional Approach
- 5) NCHR's Role Communication and Access
- 6) NCHR's Leadership Role amongst other Commissions
- 7) NCHR's Partnership with Civil Society Organizations
- 8) NCHR's Other Institutional Collaborations
- 9) NCHR's Communication Strategy
- 10) NCHR's International Accreditation



Figure N: Additional Aspects of Building NCHR's Capacity, Recognition, and Impact.

## 7.1 NCHR's Normative Ethos

Globally, the human rights discourse divulges dialogue, engagement, overlap as well as contestations and at times conflicting normative systems. Tradition, religion, customs, local legislation, and other sources of norms and rules vie for space with international norms and rules. Pakistan is no different and its legislation reveals influence from multiple sources. However, an institution such as NCHR ought to have normative certainty for resolute pursuit of its legal mandate.

There was great clarity and consensus on this score during the consultations as it was reaffirmed that NCHR upholds constitutional rights protections under the Constitution of Pakistan, 1973, and also Pakistan's treaty obligations for rights protection. Amidst multiple, at times overlapping and at other times conflicting normative values, that is the ambit and scope of its ethos. Its constituents are the citizens of Pakistan. It upholds the rights of all citizens, particularly those who are the most disempowered and vulnerable. Furthermore, its primary commitment is to the marginalized and it firmly and steadfastly supports and upholds the values of plurality and tolerance in society.

### Key Output:

- 1) Clear elaboration and communication of NCHR's normative ethos and framework through key outputs for heading 7.5 below

## 7.2 NCHR's Role Clarification

Moving on from the normative ethos, another point of deliberation was NCHR's precise position and role along the state and non-state spectrum. Once again, it emerged quite unequivocally that NCHR is neither the government nor an NGO. It is a unique state institution that is a statutory creation, that abides by Pakistan's commitment to the Paris Principles, and that is entrusted with multiple responsibilities to ensure promotion and protection of human rights. It is meant to fairly and objectively gauge state and societal progress on human rights promotion and protection - report the good and the bad - and intervene and contribute in various ways to promote and protect constitutional rights and rights protected under treaties to which Pakistan has acceded.

It was further delineated that NCHR can help build bridges and collaboration for common causes between state and society while also acting as a vigilant watchdog on violations by either. It makes interventions in response to individual human rights violations as well violations at larger normative, processual, systemic, and institutional levels. To this end it has been entrusted with and performs various functions. These multifarious functions mandate that it develop ways to perform all of them, while prioritizing according to societal needs, strategic direction, and resource availability. Its existence is premised, necessitated, and justified keeping in view the global experience that such commissions are necessary because states and societies at times fail to protect the weakest - in various cases the government or even the state becoming the primary transgressor of rights itself. Thus, commissions such as NCHR are to always remain cognizant and alert to this.



Further NCHR can play an important leadership, facilitation, and coordination role to bring various human rights protectors together to synergize and effectively pursue the common cause. It is also meant to promote a holistic, multi-pronged, and evidence-based approach to rights protection. In addition, it is expected to focus on not just the symptomatic but the structural and institutional, in order to find deeper and sustainable responses and solutions to systemic human rights violations.

Key Output:

- 1) Clear elaboration and communication of NCHR's various roles through Key Outputs for heading 7.5 below

### **7.3 NCHR's Institutional Autonomy and Capacity**

Whilst discussing how NCHR is placed in a unique position what was repeatedly highlighted in the consultations was the need for it to staunchly preserve its independence and autonomy. It was reaffirmed that while NCHR has a clearly defined reporting, funding, and support nexus with the government (with the government providing it administrative personnel and budgetary support and NCHR facilitating the government, inter alia, in its international reporting, reviewing laws at its request, etc.) it does not represent the government and is meant to be fully independent of it. Indeed, it is envisioned and situated to be independent of all state institutions as well. It can even critique the government and the state. As a matter of fact, it is mandated to critique and point out where they are not abiding by their obligations towards protection of human rights and how they should redress that. It is this independence of vantage point and legal mandate to point out and check transgressions that endow NCHR with its unique status as well as moral authority.

In the same context, many interlocutors emphasized the need to make NCHR fully capable and empowered financially and in terms of human resources. While the primary responsibility lay with the government if it were serious about human rights protections, various ways and means were discussed to make NCHR stronger as it faced on-going budgetary and personnel shortages. Special emphasis was also laid on building the domain expertise, skill set, exposure, and experience of NCHR's core staff

Key Output:

- 1) Clear elaboration and communication of NCHR's autonomy and independence through key outputs for heading 7.5 below
- 2) Boosting and upgrading of NCHR's core staff

### **7.4 NCHR's Institutional Approach**

An important distinction in terms of institutional approach that was made in the deliberations and consultations was that unlike the government: NCHR has a bottom-up approach. Hence, it is meant to and intends to both: (a) reach out to various entities and organizations working on rights on the ground and learn from their experiences as well as to coordinate and collaborate with the same; (b) and also disseminate the learning and its own outputs through

such networks as well as showcase them at the governmental and policy decision-making levels. Governments have manifestos, plans and policies which they implement from the top. NCHR, whilst it has its legal mandate, is meant to, and committed to, seeking, and incorporating input from societal organizations and becoming a spokesperson for the same to the government for furtherance of rights protection.

In this context many discussants emphasized the need for NCHR to have linkages and nexus at the district and tehsil level and regular interface with human rights organizations working at the provincial level, in order to both have a more informed understanding of the issues as well as greater implementation impact. To ensure that NCHR is fully cognizant of all possibilities and avenues at the grassroots level, many discussants suggested that it conduct a stocktaking of existing functional and credible organizations and map the areas they are working in. It was pointed out that provincial Charities Commissions have good data on current NGOs and CSOs.

Key Output:

- 1) Stocktaking of existing functional and credible human rights organizations at the provincial and local levels, and mapping the areas they are working in and the nature of their work

## **7.5 NCHR's Role Communication and Access**

It was felt and underlined by many discussants that NCHR ought to convey the message, especially to ordinary citizens - of what its mandate, functions, and priorities are - to empower them through clear understanding of what NCHR can do and what it can't and how it can best assist them. This was essential in order to make NCHR more accessible and comprehensible to ordinary people who otherwise found it hard to distinguish between so many human rights organizations. This would also allay many misconceptions and help prevent people burdening NCHR with queries, complaints, and requests that don't fall in its mandate and jurisdiction. Various valuable ideas were suggested for such role communication. These are reproduced below. It was also agreed that NCHR's involvement in select high profile and signature cases would greatly boost popular awareness about it.

Key Outputs:

- 1) Produce simple and easy to comprehend printed manuals with introduction to NCHR's normative ethos and framework, its legal mandate, its autonomy and independence, its main roles, its approach, its plan of action and ways to contact it, in Urdu and all regional languages
- 2) Provide simple instructions on how to contact NCHR on its website
- 3) Build a network with and a core group of select CSOs and disseminate awareness and sensitization about NCHR through the same (including having focal persons at all such CSOs)
- 4) Develop awareness generation manuals/materials/videos to be used in schools for awareness generation about NCHR and its work

## 7.6 NCHR's Leadership Role amongst other Commissions

A very large number of stakeholders pointed out confusion in the minds of citizens due to the multiplicity of commissions as well as other human rights bodies/departments and possible overlaps between their functions. Various insights were provided to underline the problem of duplication and overlap. They went on to emphasize the need for role clarification and rationalization and asked that being the overarching body with the vastest scope and widest powers NCHR ought to play a leading role in this regard to help clarify respective institutional roles, ensure cooperation and coordination, and prevent wasteful overlap and duplication.

### Key Output:

- 1) NCHR work towards setting up a network of rights commission (and possibly other relevant entities and departments at federal and provincial levels) for regular communication and coordination towards facilitating citizens, preventing duplication and overlap, collaboration and partnership in areas of common cause, and facilitating citizen information and access. The network to have periodic meetings and annual seminars. It should also serve as a common platform for defending the autonomy and independence of these bodies and for boosting their financial and human resource capacity.

## 7.7 NCHR's Partnership with Civil Society Organizations

One of the most significant takeaways from the stakeholders' consultations was the resounding message from CSOs, NGOs, other human rights entities, institutions, and activists that NCHR needed to closely collaborate with them. This they underlined was necessary to augment its experience, its appreciation of on-the-ground challenges, its impact and outreach, and to also help highlight and showcase their work for the larger good of the citizenry. It was essential, they stressed, for NCHR to do justice to its vast mandate.

Furthermore, such close collaboration was required, they emphasized, to maximize the potential and impact of the important work various civil society organizations were doing on the ground in taxing circumstances. Receiving recognition and a platform from NCHR would greatly boost their work because of the position and prestige of the latter. In addition, NCHR's voice would also be amplified and strengthened by all its civil society partners and that was essential as NCHR's main modus of implementing its recommendations and edicts was moral persuasion and pressure.

An additional justification voiced by many for close coordination and collaboration was that many civil society organizations had a proven track record in areas like awareness generation, rights advocacy, human rights research and data collection, report writing, etc., where NCHR could collaborate with them and conduct joint work, commission work, or showcase their work.

They added that NCHR also needed to engage more closely with local players to remove any misconception that Islamabad based bodies mostly engage largely with international interlocutors and are dependent on donor financing.

Key Outputs:

- 1) Set up a network for coordination with civil society organizations
- 2) Identify suitable partners and develop joint plans with specific outputs
- 3) Develop a mechanism for selecting and showcasing the work of civil society organizations

## 7.8 NCHR's Other Institutional Collaborations

Quite apart from other commissions and civil society organizations, stakeholders also emphasized communication, linkages, and interface with the following institutions:

- 1) Parliament: This was emphasized both because of NCHR's important role as a legislative watchdog and the mandate to persuade parliament in favor of its proposed amendments as well as the potential support it could gain from parliamentary committees on human rights, that had in the past undertaken some important work. Further, parliament is where NCHR needs to sustain support for and thereby boost its autonomy and viability as well as draw its democratic legitimacy from. An arm's length but good working relationship with the parliament would help ensure that NCHR could more effectively propagate the normative framework it was mandated to protect and promote. Also, there would be a lesser chance of miscommunication and misunderstanding on substantive aspects of legislation and its implementation frameworks as NCHR scrutinized the same in its role as watchdog and proposer of amendments and/or new legislation.
- 2) Provincial Human Rights Commissions: Many stakeholders rightly underlined the necessity of close communication and collaboration with provincial human rights commissions. This is necessary because of their important mandates and existing work (the work of the Sindh Commission was highlighted), their being closer to ground realities as well as local networks and traction, and the importance of provinces post devolution.
- 3) International Funding Partners: Historically Pakistan had received valuable funding and expertise from other countries as well as international institutions. However, it was felt that NCHR needed to ensure that any resources so gained were maximized in terms of their utilization. Further, that they were invested in areas and interventions that emerged from NCHR's own rigorous planning and assessments, furthered its mandate and impact, and were informed in turn by local ground realities and partners so that resource utilization was more contextually nuanced and relevant. It was important also to focus on local human resource development.

#### Key Output:

- 1) Development of internal strategies for more effective communication and interface with parliament, provincial human rights commissions, and international funding partners

## **7.9 NCHR's Communication Strategy**

There was unanimity that in this age of communication and mass outreach a message was only as effective as its communication. In the human rights paradigm what NCHR was mandated to protect and promote was countered not just in the real world but also in the virtual world by multiple obscurantist and corrosive narratives that robustly promoted the neglect or violation of rights. NCHR faced the challenge of not just highlighting and informing about rights but also taking on these counter-narratives. The key strengths of NCHR that ought to be leveraged, many pointed out, were its prestigious and autonomous status; symbolic value; the platform it provided; and the moral and technical support it could extend to other human rights champions.

#### Key Outputs:

- 1) Recruitment of expert full-time communication staff to liaise with NCHR's different interlocutors and easy-to-use mechanisms and clear protocols developed for communicating with citizens, complainants, government agencies, private sector, regional and international human rights organizations, and other entities
- 2) Development of a media and communication strategy focusing on imparting awareness and sensitization about the output emerging from NCHR's performance of its various functions, using conventional as well as modern modes of communication (electronic, print, and cyber)
- 3) Development of a communication mechanism for utilizing the network of civil society partners to further NCHR's message and agenda
- 4) Development of an annual calendar of events, seminars, and workshops to showcase and share NCHR's own work and that of its collaborators and partners
- 5) Upgradation of NCHR's website into an interactive portal that also acts as a reservoir of all credible, available research and data on human rights and provides links to websites of other relevant institutions and bodies
- 6) Development of a follow-up mechanism for cases NCHR is pursuing and for keeping the media and public informed
- 7) Development of training programs on human rights reporting for the media and internet influencers
- 8) Development of human rights training modules for educational institutions

## **7.10 NCHR's International Accreditation**

NCHR has made progress towards this end and should move to fulfill all requirements set out in the Global Alliance of National Human Rights Institutions (GANHRI) Report to achieve accreditation. At present the NCHR is not accredited and this has impacted its international standing. Such accreditation will be very beneficial to NCHR in its future international engagements as well as for streamlining and professionalizing its internal administration.

## 8

# Performing Core Functions - Institutional Capacity Building

A primary challenge currently being faced by NCHR is shortage of technical and administrative resources. While it will expeditiously endeavor to fill the available budgeted slots it has also envisioned in this Strategic Plan both the core areas where urgent capacity building is required as well as partnerships and collaborations with credible CSOs, NGOs, academic institutions, research centers, and other organizations that are doing valuable human rights promotion and protection work. The heartening factor, as revealed in the stakeholder consultations, is the keenness and enthusiasm on part of such organizations who want to work closely with NCHR. This would boost both NCHR's technical capacity and social outreach and at the same time provide credible organizations a prestigious platform to showcase their work. As stated, quite apart from ensuring that it fill all available staff positions, this Strategic Plan envisions that NCHR focus on appointing, recruiting, or collaborating with the following, as applicable:

- 1) Advisory Committee
- 2) Core Domain Experts
- 3) Expert Panel(s)
- 4) Consultants
- 5) Institutional Partnerships and Collaborations

## 8.1 Advisory Committee

The Act already envisions an advisory committee to assist the Commission. According to Section 11 of the Act: "The Commission may constitute an advisory committee consisting of human rights activists, civil society organizations, members of bar associations, members of press clubs and such other representatives of the Federal and Provincial Governments as may be concerned with the functions of the Commission:---

"Provided that the members of the advisory committee shall perform their functions in an honorary capacity to assist the Commission in their areas of competence and expertise."

In this Strategic Plan the advisory committee is being envisioned not as a panel of technical experts expected to provide regular assistance but as a committee of societal leaders who enjoy great respect and credibility, who are widely regarded as people of high achievement in their fields, who have vast networks, and who are capable of thinking and engaging at the strategic level. They would be expected to both brainstorm strategic ideas with NCHR and offer their non-binding advice, and at the same time their presence on the advisory committee as well as their social networks and outreach will help promote NCHR and its work.

## 8.2 Core Domain Experts

From the standpoint of this Strategic Plan, it is imperative for NCHR to develop core domain expertise in certain areas for a whole host of reasons.

First, the very nature of its work is often technical and, therefore, must be based on sound technical assessment and advice. NCHR cannot and should not rely purely on external expertise, both because it may not always be available or be of variable quality and also because ultimately (as it will mostly be pro bono) it will not be accountable. In order to add real value while performing its Core Functions NCHR requires such expertise and its output, impact and reputation will only be as robust as the quality of its core domain experts.

Second, conventional staffing planning for institutions such as NCHR focus on standard governmental administrative support positions but not on technical expertise. Therefore, it is essential to envision, carve out, and fund these positions. Hiring should be from the market and from a mid-seniority level at competitive remuneration and terms.

Third, one major problem of reliance on part-time, short-term, or purely external technical expertise is that availability is unreliable, continuity of work suffers, future planning becomes much harder due to constant uncertainty about availability of people, and there is hardly any development of institutional culture and memory.

In view of the above, this Strategic Plan is committed to the idea that NCHR prioritize the hiring of 4-6 core domain experts and that any governmental and external funding it garners be invested in this vital area. The areas where it needs to hire people are law and public policy; research and data management; and communications. With availability of additional resources, the team ought to be further boosted and additional required areas can also be identified.

### **8.3 Expert Panels**

Rights commissions and similar institutions all over the world greatly benefit from support and services provided on a pro bono basis by some of the best professionals in the market. In our context institutions are often not proactive about or even responsive to such arrangements. Pakistan has a rich culture of public service and philanthropy but much of it is not well-organized and streamlined. Given NCHR's status and prestige and the importance of its mission it can attract and greatly benefit from pro bono advice and expertise from those who would like to contribute in the spirit of public service, to help make a positive societal impact and/or the privilege of being associated with NCHR. This Strategic Plan envisions separate expert panels for its three Core Functions. Unlike the advisory committee the expert panels shall comprise of early-middle or mid-career professionals who enjoy a good reputation for quality of work and integrity and are periodically willing to assist NCHR in its functions. Looking at the priority Core Functions that have been identified in this Strategic Plan, professional working in the areas of law, policymaking, research and data management, and communications are the most relevant ones. A framework can be developed to utilize their services on rotational basis and determine a minimum quantum for a year - to both ensure availability of assistance and to also not make it burdensome.

### **8.4 Consultants**

Collaborating partners and international programs often offer technical assistance through consultants. However, they come mostly with pre-determined mandates and TORs towards

## 8.4 Consultants

Collaborating partners and international programs often offer technical assistance through consultants. However, they come mostly with pre-determined mandates and TORs towards the furtherance of programs they are associated with. While this is often beneficial, at times it detracts from the beneficiary entity's own priorities and imperatives. This Strategic Plan envisions that NCHR ought to insist on involving consultants who can help advance and progress this Strategic Plan and jointly determine their TORs with the funding entity. At the same time, once more funding becomes available it should supplement and boost its technical expertise in different areas on an on-going basis.

## 8.5 Institutional Partnerships and Collaborations

The biggest takeaway from the national stakeholder consultations has been the diversity of work that is already being done by various civil society and non-government organizations, activists, academia, and other institutions, as well as the enthusiasm on part of many to partner with NCHR. **Annexure B** lists the institutional affiliations of the over two hundred participants who participated in these stakeholder engagements. This can be a starting point leading to identification and formalization of partnerships. This Strategic Plan envisions NCHR undertaking a quick mapping of human rights organizations in the country. This would be essential for not just identifying allies and collaborators but to also appreciate areas where there is greater or lesser concentration of expertise and work - geographically as well as thematically. Thereafter, NCHR intends to follow-up on the consultations with identifying partners based on its priority and lesser priority Core Functions and reaching specific understandings about the ambit and nature of future work. Such work is intended to then progress beyond MOUs and have specific interfaces and outputs.

Such partnerships and collaborations will be particularly necessary and useful in the lesser priority Core Functions of Research/Enabling Research on Critical Issues and Awareness and Advocacy. As was evident in the stakeholder consultations many existing organizations have impressive track records in these areas and are willing to work together.

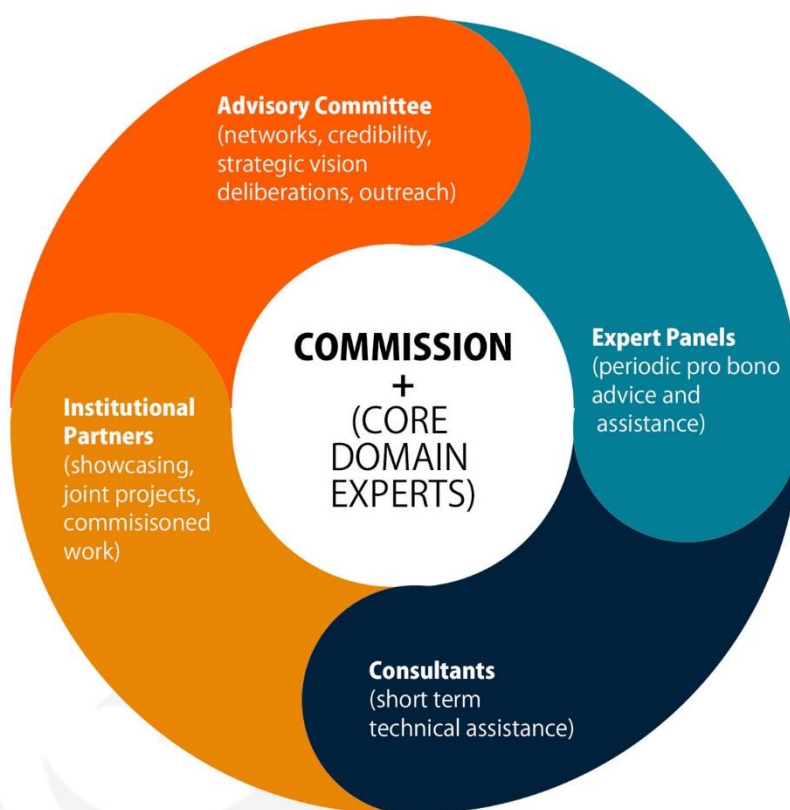
NCHR envisions undertaking the following activities with them:

- 1) Consolidating and showcasing their research and reports on its own portal
- 2) Consolidating and displaying data from them
- 3) Commissioning research and/or data collection and analysis to them
- 4) Jointly undertaking research and data collection with them
- 5) Launching and holding seminars and workshops around their on-going research as well as awareness and advocacy campaigns
- 6) Adding NCHR's logo to credible and impactful on-going awareness generation and advocacy campaigns
- 7) Jointly designing and running awareness and advocacy campaigns with them
- 8) Running joint training workshops with them



It needs to be stated here that the aforementioned support framework is meant to support both the head office as well as the regional offices through coordination and resource allocation arrangements agreed within NCHR. Going forward it is also important for the regional offices to have in-house capacity for legal support and advice for their regular operations that works in sync with the experts at the head office. Further the expert panels ought to have members from all regions so that the regional offices have easy access to expertise that is locally situated and accessible.

Figure O below shows the external support framework that NCHR intends to establish for necessary leveraging of its name and work as well as technical support for its various functions.



**Figure O: Resources Required for Building Vital Capacity**

NCHR intends to approach structuring its organizational arrangements by envisioning its priority Core Functions as separate units with each having its own external expert panel and consultants. The lesser priority Core Functions are dealt with separately and their main nexus is with institutional partners. Figure P below presents this visually.

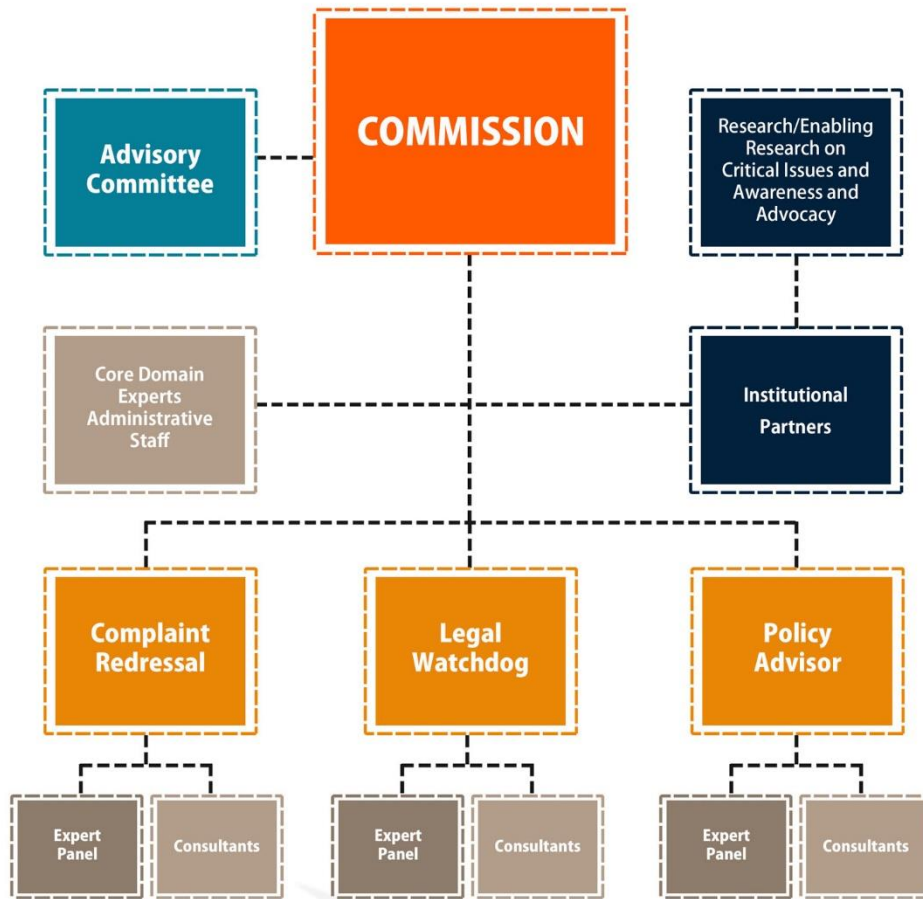


Figure P: Supports Systems Organogram

## 9 Main Actions Undertaken/to be Undertaken

### 9.1 Strategic Direction - Functional Prioritization

No	Adopting and Prioritizing Core Functions	Rationale and Explanation
1	<u>Rationalizing and embracing the following five as NCHR's Core Functions:</u> (1) Complaint Redressal (2) Legal Watch Dog (3) Policy Advisor (4) Research/Enabling Research on Critical Issues (5) Awareness and Advocacy	Section 3
2	<u>Adoption of the following three as NCHR's Priority Core Functions:</u> (1) Complaint Redressal (2) Legal Watch Dog (3) Policy Advisor	Section 4
3	<u>Adoption of the following as an additional Overarching Function:</u> Custodian and Driver of National Human Rights Debate	Section 4

### 9.2 Core Functions - Additional Steps, Outputs and KPIs

No	Complaint Redressal - Adoption of Criteria	Rationale and Explanation
1	Accept and formalize criteria for rejection of complaints/declining <i>Suo Moto</i> Intervention	Section 5
2	Accept and formalize criteria for acceptance of complaints/considering <i>Suo Moto</i> intervention	Section 5
3	Accept and formalize criteria for intervention in on-going court proceedings	Section 5
4	Accept and formalize criteria for directing investigations and inquiry into human rights violations	Section 5
5	Undertake 2-4 carefully chosen human rights violation investigation missions every year	Section 5

No	Legal Watchdog - Adoption of Outputs and KPIs	Rationale and Explanation
1	Number of laws reviewed for adequacy of human rights safeguards	Section 5
2	Number of new laws recommended for adoption for providing human rights safeguards	Section 5
3	Number of recommendations accepted by the government	Section 5
4	Number of amendments proposed to existing laws for ensuring human rights safeguards	Section 5
5	Number of amendments accepted by the government	Section 5
6	Number of administrative measures for implementation proposed or existing measures proposed to be amended	Section 5
7	Number of administrative measures and/or amendments accepted by the government	Section 5
8	Review of factors inhibiting enjoyment of human rights undertaken and submitted	Section 5
9	Number of treaties etc., reviewed and recommendations made for their effective implementation	Section 5
10	Number of recommendations on treaty implementation accepted by the government	Section 5
11	Steps taken towards making legislation process more participatory and recommendations made for the same	Section 5
12	Steps towards greater public demand creation for law reforms	Section 5

No	Policy Advisor - Steps towards formulation of National Plan of Action	Rationale and Explanation
1	Determination of the scope and focus of the National Plan of Action (areas, sectors, processes, laws, implementation frameworks)	Section 5
2	Determination of indicators	Section 5
3	Initial stakeholder deliberations on scope and focus of National Plan of Action and relevant indicators	Section 5
4	Determination and finalization of areas, indicators, methodology (sources of quantitative and qualitative data; any new data to be collected; any investigations)	Section 5
5	Allocation of different parts of the National Plan of Action to different partners to work in collaboration with NCHR	Section 5
6	6 monthly review of progress of National Plan of Action	Section 5
7	Annual review of progress and deliberations over emerging National Plan of Action	Section 5
8	18 monthly review of progress and wider dissemination for stakeholder feedback	Section 5
9	Finalization and release of National Plan of Action	Section 5

No	Research/Enabling Research on Critical Issues - Adoption of Outputs and KPIs	Rationale and Explanation
1	Develop a portal to provide access to all credible human rights research/reports in the country, vetted and selected by NCHR	Section 5
2	Portal to also hold and offer access to all credible human rights data in the country	Section 5

3	Portal to provide links to relevant local, regional, and international institutions doing human rights research	Section 5
4	Enter partnerships with CSOs, NGOs, universities, research centers, other institutions doing human rights research with specific intended outputs	Section 5
5	Identify additional indicators and levels of disaggregation for data and enter agreements with relevant entities for data collection	Section 5
6	Showcase and highlight latest credible human rights research happening in the country through campaigns, seminars, workshops, events, and deliberations	Section 5
7	Utilize research, data, and analysis to inform work under all Core Functions	Section 5
8	Use research and data to inform the National Plan of Action	Section 5

No	Awareness and Advocacy - Adoption of Outputs and KPIs	Rationale and Explanation
1	Number of institutional partnerships entered for joint work on designing and running awareness generation and advocacy campaigns	Section 5
2	Number of awareness generation and advocacy campaigns jointly designed and launched	Section 5
3	Number of awareness generation and advocacy campaigns designed by other institutions and organizations showcased and highlighted	Section 5
4	Identification of levels and types of human rights education curricula and modules to be developed in view of any work already done	Section 5
5	Number of curricula and modules for human rights education developed	Section 5

6	Number of developed curricula and modules for human rights education adopted and implemented	Section 5
---	--	-----------

No	Custodian and Driver of National Human Rights Debate - Main Interventions	Rationale and Explanation
1	Envision and design the ambit and scope of the State of Human Rights in Pakistan Report	Section 5
2	Develop and launch the State of Human Rights in Pakistan Report	Section 5
3	Organize and host a regional conference on human rights	Section 5
4	Organize and host a national conference on human rights	Section 5
5	Number of seminars, workshops, colloquia, and talks held on human rights	Section 5

### 9.3 Strategic Direction - Thematic Prioritization

No	Selecting Priority Themes and Designing Interventions	Rationale and Explanation
1	Focus on the following as priority thematic areas of intervention: <ul style="list-style-type: none"> <li>1) Right to Life</li> <li>2) Minority Rights</li> <li>3) Free Speech and Rights of Political Association and Assembly</li> <li>4) Equal Protection of Law and Acts of Discrimination</li> <li>5) Violence against Women and Vulnerable Groups</li> <li>6) Human Rights Education</li> <li>7) Defending the Human Rights Defenders</li> </ul>	Section 6
2	Design and make interventions in these areas through NCHR's Core Functions (almost all areas will require multiple interventions under different Core Functions)	Section 6

## 9.4 Institutional Role Clarity, Access, Outreach, Leadership, Partnerships, and Communication

No	Ten Broad Areas of Intervention	Rationale and Explanation
1	<u>NCHR's Normative Ethos</u> - Clear elaboration and communication of NCHR's normative ethos and framework	Section 7
2	<u>NCHR's Role Clarification</u> - Clear elaboration and communication of NCHR's role	Section 7
3	<u>NCHR's Institutional Autonomy and Capacity</u> - Clear elaboration and communication of NCHR's institutional autonomy and boosting of NCHR's core domain expertise	Section 7
4	<u>NCHR's Institutional Approach</u> - Clear elaboration and communication of NCHR's institutional approach	Section 7
5	<u>NCHR's Institutional Approach</u> - Stocktaking of existing functional and credible human rights organizations at the federal, provincial, and local levels - mapping the areas they are working in and the nature of their work.	Section 7
6	<u>NCHR's Role Communication and Access</u> - Clear communication of points 1-4 above and ensuring ease of access to NCHR by citizens and organizations	Section 7
7	<u>NCHR's Role Communication and Access</u> - Produce simple and easy to comprehend printed manuals with introduction to NCHR's normative ethos and framework, its legal mandate, its autonomy and independence, its main roles, its approach, its plan of action and ways to contact it, in Urdu and all regional languages	Section 7
8	<u>NCHR's Role Communication and Access</u> - Provide simple instructions on how to contact NCHR on its website	Section 7
9	<u>NCHR's Role Communication and Access</u> - Build a network with and a core group of select CSOs and disseminate awareness and	Section 7



	sensitization about NCHR through the same (including having focal persons at all such CSOs)	
10	<u>NCHR's Role Communication and Access</u> - Develop awareness generation manuals/materials/videos to be used in schools for awareness generation about NCHR and its work	Section 7
11	<u>NCHR's Leadership Role amongst other Commissions</u> - NCHR work towards setting up a network of rights commission (and possibly other relevant entities and departments at federal and provincial level) for regular communication and coordination towards facilitating citizens, preventing duplication and overlap, collaboration and partnership in areas of common cause, and facilitating citizen information and access. The network to have periodic meetings and also annual seminars. It should also serve as a common platform for defending the autonomy and independence of these bodies and for boosting their financial and human resource capacity.	Section 7
12	<u>NCHR's Partnership with Civil Society Organizations</u> - Set up a network for coordination with civil society organizations	Section 7
13	<u>NCHR's Partnership with Civil Society Organizations</u> - Identify suitable partners and develop joint plans with specific outputs	Section 7
14	<u>NCHR's Partnership with Civil Society Organizations</u> - Develop a mechanism and criteria for selecting and showcasing the work of civil society organizations	Section 7
15	<u>NCHR's Partnership with Civil Society Organizations</u> - Consolidate and showcase research and reports by civil society organization on its own portal	Section 7
16	<u>NCHR's Partnership with Civil Society Organizations</u> - Consolidate and display credible data generated by civil society organizations	Section 7
17	<u>NCHR's Partnership with Civil Society Organizations</u> - Commission research and/or data collection and analysis to partner civil society organizations	Section 7
18	<u>NCHR's Partnership with Civil Society Organizations</u> - Jointly design and undertake research and data collection with partner civil society organizations	Section 7

19	<u>NCHR's Partnership with Civil Society Organizations</u> - Launch and hold seminars and workshops around on-going research as well as awareness and advocacy campaigns by civil society partners	Section 7
20	<u>NCHR's Partnership with Civil Society Organizations</u> - Add NCHR's logo to on-going awareness generation and advocacy campaigns by partner civil society organizations	Section 7
21	<u>NCHR's Partnership with Civil Society Organizations</u> - Jointly design and run awareness and advocacy campaigns with partner civil society organizations	Section 7
22	<u>NCHR's Partnership with Civil Society Organizations</u> - Run joint human rights training workshops with partner civil society organizations for governmental and non-governmental audiences whose work has important bearing on citizens' rights	
23	<u>NCHR's Other Institutional Collaborations</u> - Development of internal strategies for more effective communication and interface with parliament, provincial human rights commissions, and international funding partners.	Section 7
24	<u>NCHR's Communication Strategy</u> - Recruitment of expert full-time communication staff to liaise with NCHR's different interlocutors and with easy-to-use mechanisms and clear protocols developed for communicating with citizens, complainants, government agencies, private sector, regional and international human rights organizations, and other entities	Section 7
25	<u>NCHR's Communication Strategy</u> - Development of a media and communication strategy focusing on imparting awareness and sensitization about the output emerging from NCHR's performance of its various functions using conventional as well as modern modes of communication (electronic, print, and cyber)	Section 7
26	<u>NCHR's Communication Strategy</u> - Development of a communication mechanism for utilizing the network of civil society partners to further NCHR's message and agenda	Section 7

27	<u>NCHR's Communication Strategy</u> - Development of a program of annual calendar of events, seminars, and workshops to showcase and share NCHR's own work and that of its collaborators and partners	Section 7
28	<u>NCHR's Communication Strategy</u> - Upgradation of NCHR website into an interactive portal that also acts as a reservoir of all credible, available research and data on human rights and provides links to websites of other relevant institutions and bodies	
29	<u>NCHR's Communication Strategy</u> - Develop a follow-up mechanism on cases NCHR is pursuing and for keeping the media and public informed	Section 7
30	<u>NCHR's Communication Strategy</u> - Develop training programs on human rights reporting for the media and internet influencers	Section 7
31	<u>NCHR's Communication Strategy</u> - Develop human rights training modules for educational institutions	Section 7
32	NCHR's International Accreditation - NCHR fulfill requirements set out in the Global Alliance of National Human Rights Institutions (GANHRI) Report to achieve accreditation	Section 7

## 9.5 Boosting Institutional Capacity and Augmenting Domain Expertise

No	Selecting Priority Themes and Designing Interventions	Rationale and Explanation
1	<p>NCHR to boost its human resources capacity and domain expertise in the following categories through proposed appointments and operationalization of mechanisms:</p> <ol style="list-style-type: none"> <li>1) Advisory Committee</li> <li>2) Core Domain Experts (4-6) (in the areas of law and public policy; research and data management; and communications)</li> <li>3) Expert Panel(s)</li> <li>4) Consultants</li> <li>5) Institutional Partnerships and Collaborations</li> </ol>	Section 8

# A Annexure

## Bibliography and Consultations

- 1) National Commission for Human Rights Act, 2012
- 2) National Commission for Human Rights (Complaint) Rules, 2015
- 3) Strategic Plan - National Commission for Human Rights, 2017
- 4) Capacity Assessment of the National Commission for Human Rights of Pakistan Report (NCHR; OCHR; APF) (11 July 2018)
- 5) NCHR Pakistan Biennial Work-plan (2019 – 2021) Matrix (Based on Asia Pacific Form Capacity Assessment Recommendations) (2018)
- 6) Draft Work Plan - National Commission for Human Rights, 2021
- 7) National Commission for Human Rights - Launch Presentation (December 2021)
- 8) Standards of Adjudication when dealing with Complaints of Human Rights Violations (Presentation - RSIL: 2021)
- 9) Findings from Stakeholder Consultations held in Karachi, dated December 21, 2021
- 10) Findings from Stakeholder Consultations held in Lahore, dated December 30, 2021
- 11) Findings from Stakeholder Consultations held in Peshawar, dated January 06, 2022
- 12) Findings from Stakeholder Consultations held in Islamabad, dated January 25, 2022
- 13) Findings from Stakeholder Consultations held in Quetta, dated, February 10, 2022

## B Annexure

### List of Participants in Stakeholder Consultations

No	Karachi Stakeholder Consultations - Organizational Backgrounds of Participants
1	GID Foundation
2	NCHR
3	Huqooq-e-Pakistan
4	Professional Development Center
5	Panah Shelter Home
6	Legal Aid Society
7	The Urban Resource Centre (URC)
8	The Educator
9	Humraz Male Health Society
10	TAF foundation (vocational training institute)
11	Sindh Commission on the Status of Women
12	Sindh Commission on the Status of Women
13	Aurat Foundation
14	Tehreek e Niswan
15	Pathfinder International
16	Christian Rights social workers
17	Women's Action Forum (WAF)
18	National Commission for Justice and Peace
19	Human Rights Commission of Pakistan (HRCP)
20	The Knowledge Forum

No	Lahore Stakeholder Consultations - Organizational Backgrounds of Participants
1	Centre for Social Justice
2	CYRIL Foundation
3	Aaghaz Foundation
4	Sanjh Preet Organization
5	Community Health Advocacy Network (CHANAN)
6	Digital Rights Foundation (DRF)
7	Umeed Partnership Pakistan (UPP)
8	National Welfare Foundation (NWF)

9	Institute for Development and Economic Alternatives (IDEAS)
10	Active Help Organization
11	Human Rights Activists
12	Students
13	Members of the Legal Bars
14	PAHCHAAN
15	Center for Peace and Secular Studies
16	Aurat Foundation
17	Interactive Resource Centre
18	SUDHAAR Society
19	Bonded Labor Liberation Front (BLLF)
20	Huqooq-e-Pakistan Program (HEP)
21	Kashf Foundation
22	Applied Socio-Economic Research Resource Centre (ASR)
23	Labour Education Foundation (LEF)
24	Human Rights Commission of Pakistan (HRCP)
25	Family Planning Association of Pakistan
26	Smile Again Foundation
27	HomeNet Pakistan
28	Simorgh
29	Sarim Burney Trust and Child Protection
30	PAHCHAAN
31	GODH LAHORE NGO
32	Crofter Foundation
33	Centre for Legal Aid Assistance and Settlement (CLAAS)
34	Punjab Law Department
35	Aurat Foundation
36	AAGAHE
37	South Asia Partnership Pakistan (SAP-PK)

No	Islamabad Stakeholder Consultations - Organizational Backgrounds of Participants
1	National Forum for Women with Disabilities (NFWWD)
2	STEP
3	UNHCR
4	SAHIL
5	Society for the Protection of the Rights of the Child (SPARC)
7	Center for Gender and Policy Studies
8	Research Society for International Law (RSIL)
9	Bytes for All (B4A)
10	UN WOMEN

10	UN WOMEN
11	UNICEF
12	Fatima Jinnah Women University
13	Transgender Rights Consultant Pakistan (TRCP)
14	Bedari
15	Tabadlab
16	UNFPA
18	Ernst and Young
19	UNODC
20	Bahria University
21	The News International
22	Aaj News
23	Mardan Medical Complex (MMC)
24	Capital Development Authority
25	Full Gospel Assembly Church Islamabad (FGACI)
26	Bol News
27	Embassy of Germany
28	Potohar Organization for Development Advocacy (PODA)
29	PM
30	Embassy of Norway
31	Australian High Commission
32	Embassy of Sweden
33	Din News
34	Dunya TV
35	EU Delegation
36	Media Representatives
37	The Reporter
38	Ausaf
39	SGS
40	National University of Sciences
41	Bolo Bhi
42	Group Development Pakistan (GDP)
43	Members of the Legal Bars
44	Bol New
45	Radio Pakistan
46	Pakistan Observer
47	Friedrich Naumann Foundation (FNF)
48	Pakistan Centre for Philanthropy (PCP)
49	Pakistan Poverty Alleviation Fund (PPAF)
50	Peace and Justice Network (PJM)
51	APP News

52	Jehan Pakistan
53	Pakistan Christian Welfare Society (PCWS)

No	<b>Peshawar Stakeholder Consultations - Organizational Backgrounds of Participants</b>
1	KP Police
2	Minorities Representatives from Sikh, Christian and Bahai Communities
3	KP Politicians
4	KP Media
5	Members of KP Legal Bars
6	KP Muslim Clergy
7	Activists from Transgender Community
8	Activists for Disability Rights
9	International Rescue Committee (IRC)
10	Subhash Educational Complex
11	Shirkat Gah
12	Ranaa Child Welfare Foundation
13	Blue Veins
14	EU
15	Christian Coordinator Council Pak (CCCP)
16	Group Development Pakistan (GDP)
17	Integrated Community Development Initiative (ICDI)
18	Rural Infrastructure and Human Resource Development (RIHRDO)
19	UNDP
20	Daily Waqt
21	UN WOMEN
22	Chief Khatib
23	Dost Welfare Foundation
24	Democratic Commission for Human Development (DCHD)
25	BBC
26	Shah and Company
27	Ex FATA/Tribal Youth Jirga
28	Daily AAJ
29	PCWR
30	Media SBS Radio
31	STEP
32	Daily Times Pakistan



33	Daily Jang
34	DOST Foundation
35	Special Life Foundation (SLF)
36	Society for Human Rights and Prisoners (SHARP)
37	Orakzai Rights Movement
38	Centre of Excellence for Rural Development (CERD)
39	Strengthening Participatory Organization (SPO)

No	<b>Quetta Stakeholder Consultations - Organizational Backgrounds of Participants</b>
1	Members of Quetta legal bar
2	Kuchlak Welfare Society (KWS)
3	Women Lead Alliance Balochistan (WLAB)
4	Sikh and Hindu Community, Balochistan
5	Academia
6	Balochistan Women Skills and Educational Center (BWSE)
7	Taraqi Foundation
8	UN Women Pakistan
9	Aurat Foundation
10	PTV
11	Young Doctors Association (YDA)
12	Educational and Youth Empowerment Society (EYES)
13	Shafi Orphanage and Welfare Society (SOWS)
14	Balochistan Sustainable Development Society (BSDO)
15	Human Rights Commission of Pakistan (HRCP)
16	Centre of Excellence for Results based Management (CERBM), University of Balochistan
17	Purple Women
18	Right Research and Development Foundation (RRDF)
19	Proud Pakistan Balochistan
20	C and W, Balochistan
21	GEO TV
22	Chaghi Rural Development
23	Balochistan University of Information Technology, Engineering and Management Sciences (BUIEMS)
24	Social Welfare Department
25	Media
26	Economics Department, University of Balochistan
27	Information Department, Government of Balochistan
28	National Resource Conservation Project (NRCP)

## C Annexure

### Questions Used for Internal and External Deliberations

#### **Questions for further Deliberation - Internal to the extent of legal and policy determination; external for purposes of stakeholder feedback.**

**(1) Role:** Who is the target audience for the NCHR? (Its functions have to be envisioned keeping that in mind. In the past there appears to be ambiguity on this score - Is it GOP? Is it the international community? Is it the citizenry of Pakistan? Or is it particular vulnerable segments within the citizenry of Pakistan). NCHR's entire positioning and signaling should stem from a clear role definition.

**(2) Functions:** In terms of focus and resource allocation is there to be some hierarchy of prioritization when it comes to NCHR's functions? Is this an exhaustive list of functions? What do we understand in terms of their scope, process, and next steps?

- Court/Inquiring body - for complaint redressal/in suo moto jurisdiction (9 (a))
- Intervention in on-going legal proceedings (9 (b))
- Inspection of jails/detention centers (9 (c))
- Legislative Review/Proposals for amendments and implementation (9 (d))
- Recommendations on remedial measures for factors inhibiting HR (9 (e))
- Recommendations for treaty implementation (9 (f))
- HR Research/Database/Development of HR norms (9 (g))
- Human rights literacy/Rights awareness generation (9 (h))
- Investigation and inquiry into HR violation (9 (i))
- Independent Reports on state of HR to GOP for onward reporting to UN bodies (9 (j))
- National Plan of Action for promotion and protection of HR (9 (k))
- Other necessary functions for promotion of HR (9 (l))

#### **(12 stipulated functions)**

#### **(3) Further Qs specific to the various Areas of Focus:**

- What precisely are the contours of NCHR's role as a court/inquiring body as defined in the Act?
- What are the parameters and process for intervention in on-going proceedings?
- What are the optimal framework and mechanisms of jail/detention center inspections?
- How are the priorities, timing (point of intervention), substantive focus and scope of legislative review determined?
- How to undertake assessments/propose remedial measures for HR inhibiting factors?
- What is NCHR's current capacity for treaty review and recommendations?

- Priorities and capacity for HR Research/Database/Development of HR Norms?
- How can systematic HR literary/rights awareness generation be brought about?
- Mechanism and process for investigation and inquiry into HR violations?
- Process and capacity for reporting to GOP and UN agencies?
- Steps towards development of a National Plan of action for HR promotion/protection?

#### **(4) Legal Scoping of Role as a Court/Inquiring body?**

- What can it do? What can't it do? What it ought to do? What should be filtered out.
- Complaints
- Suo Moto jurisdiction
- Interventions in on-going proceedings
- The relevant processes

**(5) Internal delineation of roles and responsibilities of Members and Secretariat (Internal Capacity Building):** How does the NCHR's structure translate into not just overall policy decision-making but into functional and particularized division of responsibilities? Will there be specific roles assigned to members (e.g., who will act as the Court/Inquiring Body on a regular basis), or will their role be defined geographically, or will it be defined in terms of domain oversight (someone overseeing legislative review on a more regular basis even under the overarching oversight of Chairperson and Members?) - concomitant processes

**(6) The Supply Side:** It all boils down to supply side - the experts and the support people (admin plus technical). What is the situation as of now and what are the plans to boost administrative and technical support? Balance between internal and external human resources

**(7) Building on the Past - Previous Assessments and Recommendations:** Examine the 25 recommendations in the NCHR Capacity Assessment (2018) and determine where things stand today, which recommendations need to be pursued as a priority and how?

#### **(8) The Provincial Outreach**

**(9) Internal Governance** - Rules, Policies, Advisory Groups, Role delegations, systems, processes

#### **(10) Accreditation - GANHRI - Next Steps**

#### **(11) Outreach and Beyond the Straight and Narrow**

- Key Collaborations? (Individual and Institutional (the entire spectrum))
- Any additional initiatives?
- Steady State or Big Bang?

**(12) The Landscape and engagement with it** - MOHR, NCSW, NCRC, Provincial entities, the NGO/CSO sector, Govt, Pvt Sector, regional and international institutions etc.

**(13) Leveraging the NCHR** - Ensuring the NCHR visible and palpably present in support of all relevant human rights causes - the symbolic value; the platform; the moral and technical support

## D Annexure

### Functions of the Commission

**Functions of the Commission.—The Commission shall perform all or any of the following functions, namely:---**

(a) Suo-moto or on a petition presented to it by a victim or any person on his behalf, inquire into complaints of,---

- (i) violation of human rights or abetment thereof; or
- (ii) negligence in the prevention of such violation, by a public servant;

(b) Intervene in any proceeding involving any allegation of violation of human rights pending before a court by filing application for becoming a party to the proceedings before such court;

(c) Notwithstanding anything contained in any other law for the time being in force, the Commission or any person authorized by it may visit any jail, place of detention or any other institution or place under the control of the Government or its agencies, where convicts, under trial prisoners, detainees or other persons are lodged or detained for purposes of ascertaining the legality of their detention as well as to find out whether the provisions of the applicable laws or other provisions relating to the inmates living conditions and their other rights are being complied with;

(d) Review the safeguards provided by or under the Constitution of the Islamic Republic of Pakistan or any other law for the time being in force for the protection of human rights and recommend adoption of new legislation, the amendment of existing laws and the adoption or amendment of administrative measures for their effective implementation:---

Provided that if requested by the Government, the Commission may examine any legislation and submit its views thereon and comment on the implication of the same for legislation;

(e) review the factors, including acts of terrorism, that inhibit the enjoyment of human rights and recommend appropriate remedial measures;

(f) study treaties, other international instruments on human rights and reports submitted by the Government of Pakistan on them including the comments thereon, to make recommendations for their effective implementation;

(g) undertake and promote research in the field of human rights, maintain database on the complaints on violence of human rights received and development of human rights norms;

(h) spread human rights literacy among various sections of society and promote awareness

of the safeguards available for the protection of these rights through publications, print and electronic media, seminars and other available means in all major languages of the country;

(i) direct investigation and inquiry in respect of any incident of violation of human rights;

(j) submit independent reports to the Government on the state of human rights in Pakistan for incorporation in reports to United Nations' bodies or committees;

(k) develop a national plan of action for the promotion and protection of human rights; and

(l) such other functions as it may consider necessary for the promotion of human rights.



## E Annexure

### Inquiring/ Fact Finding and Intervening Functions of the Commission

NCHR has been given important fact-finding functions. These functions can be performed directly, or by directing an inquiry and investigation.

#### **Initiation of Inquiry/Fact-Finding Proceedings (section 9 (a)):**

NCHR may initiate a fact-finding procedure either on receiving information from a proper source or on its own knowledge.<sup>2</sup> Proper sources include registered non-governmental organizations, association of trade unions or any other representative organization. Complaints may also be received from victims or persons authorized by them.

#### **Limitation on Complaints**

Rule 3(4) of the NCHR Complaint Rules says that complaints may be made to the Commission as soon as possible but

preferably within 3 months from the date the cause of action arose. Thus, there does not appear to be any time limitation on the filing of complaints. There is, however, limitation on inquiries against certain classes of persons. These include members of armed forces and intelligence agencies. Complaints of violations of human rights by intelligence agencies must be referred to the competent authority concerned.<sup>3</sup>

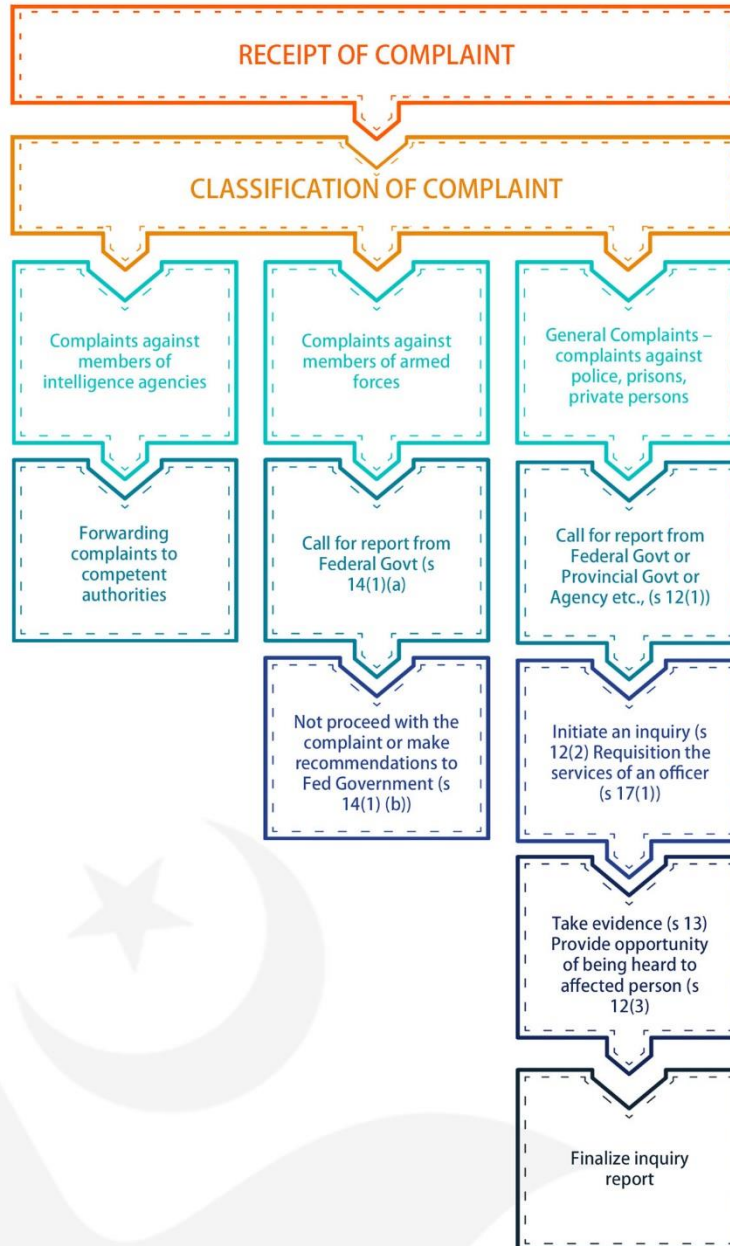
Section 9: The Commission shall perform all or any of the following functions, namely: -

- (a) suo-moto or on a petition presented to it by a victim or any person on his behalf inquire into complaints of –
  - (i) *Violation of human rights or abetment thereof; or*
  - (ii) *Negligence in the prevention of such violation by a public servant*
- (b) Intervene in any proceedings involving any allegation of violation of human rights pending before a court by making application for becoming a party to the proceedings before such court.
- (c) ..
- (d) ..
- (e) ..
- (f) ..
- (g) ..
- (h) ..
- (i) Direct investigation and inquiry in respect of any incident of violation of human rights

<sup>2</sup> Rule 3, National Commission for Human Rights (Complaint) Rules, 2015  
<sup>3</sup> Section 15, NCHR Act

## Steps during an Inquiry

The steps during an inquiry are as follows:



### **Steps after Inquiry**

Once the inquiry is completed and it discloses the commission of violation of human rights or negligence in the prevention of violation of human rights, the Commission

- May recommend to the concerned government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit.
- May recommend to the concerned government or authority the grant of immediate interim relief to the victims or the members of his family
- Provide a copy of the inquiry report to the complainant or his representative
- Publish the inquiry report together with its recommendations and the reply of the government

### **Intervening in Proceedings (section 9(b))**

Intervention in proceedings is an important power of the Commission which can be used with respect to proceedings before a court. This power is in the nature of amicus curiae in criminal matters. Since the Commission is not the prosecutor it cannot take over criminal proceedings, but it can address the court or bring to its knowledge procedure which should have been adopted or which should not have been adopted. It is important to note that while fair trial provisions are present in the Code of Criminal Procedure these powers also stem from Article 10-A (the Right to Fair Trial) of the Constitution and the absence of a procedure in statutory law does not mean that that procedure may not be followed. It may also be noted that the right to fair trial is a human right and encompasses many other rights.

The power to intervene is an important power both from a reform perspective and from the perspective of justice for individuals. From a reform perspective, this power will enable the Commission to have an impact on setting processes in court right. However, this impact will only occur if the Commission's representatives in intervention cases are guided by academically sound and clearly articulated opinions on the theory and practice of the right to fair trial.

### **Direct Investigation and Inquiry into an incident of violation of Human Rights (section 9 (i))**

From a bare reading of section 9(i) this power does not appear to be dependent on the existence of a complaint, but section 9(a) is also not dependent on a complaint since the Commission can act suo moto. From a practical standpoint this section confers on the Commission the power of directing the police or an investigating agency to conduct an investigation or inquiry in an incident of violation of human rights. The Act is silent on the powers of the Commission to supervise such an investigation or inquiry.



# F Annexure

## NCHR - Three Year Work Plan

Objective	Action	KPI	Milestones											
			Year 1				Year 2				Year 3			
Strengthening NCHR capacity			Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4
1. Improving technical expertise	a. Establish advisory committee	Notification of establishment	Names identified	Notification issued	First meeting held									
	b. Appoint core domain experts	Notification of appointment	Appointment criteria finalized	Appointments made	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts	Advice sought from core experts
	c. Appoint expert panels	Notification of Appointment	Experts identified and appointed	Measures to seek opinion of expert panels finalized	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels	Advice sought from expert panels
	d. Have access to short term technical assistance through consultants	Agreements with donors/Framework agreements	Donors identified Expertise accessed	TA arrangements finalized with new donors	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed	Expertise accessed
2. Establishing international partnerships and collaborations	e. Mapping of human rights organizations and identifying partners	Mapping Report Agreements with international partners and collaborators	Report finalized Agreements reached	Agreements reached	Agreements reached	Agreements reached								
	f. Obtain international accreditation (GANHRI report requirements)	International Accreditation	Review of level of compliance with GANHRI requirements	Addressing issues identified in review report	Addressing issues identified in review report	Addressing issues identified in review report	Addressing issues identified in review report	Addressing issues identified in review report	Addressing issues identified in review report	Submit accreditation application				
3. Improve NCHR communication capacity	g. Upgrade NCHR website	Upgraded NCHR website	Website redesigned and upgraded	Website administrator appointed										
	h. Development of a media and communication strategy for all partners, collaborators, interlocutors, target audiences and citizens at large	Approved Media and Communication Strategy implemented			Strategy developed	Strategy developed	Strategy implemented	Strategy implemented	Strategy implemented	Strategy implemented	Strategy implemented	Strategy implemented	Strategy implemented	Strategy implemented
	i. Development of simple and easy to comprehend printed booklets and manuals with introduction to NCHR's normative ethos, role, autonomy, and institutional approach	No. of printed booklets and manuals	Booklets developed	Booklets printed and distributed										
<b>Improving delivery of core functions directly</b>														
4. Complaint redressal	a. Issue criteria for rejections of complaints	Issued criteria No. of cases in which criteria implemented	Criteria finalized and adopted	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented	Criteria implemented
	b. Issue criteria for acceptance of complaints	Issued criteria	Criteria finalized	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &	Criteria implemented &

		No. of cases in which criteria implemented and cases pursued	and adopted	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	cases pursued	
	c. Issue criteria for taking up suo moto cases	Issued criteria No. of cases in which criteria implemented	Criteria finalized and adopted	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	
	d. Issue criteria for intervention in on-going court cases	Issued criteria No. of cases in which criteria implemented	Criteria finalized and adopted	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	
	e. Issue criteria for directing investigations and inquiry into human rights violations	Issued criteria No. of cases in which criteria implemented	Criteria finalized and adopted	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	Criteria implemented & cases pursued	
	f. Undertake carefully chosen human rights investigations undertaken	Issued criteria No. of investigations undertaken	Criteria finalized and adopted	1 investigation undertaken	1 investigation undertaken	1 investigation undertaken	2 investigations undertaken	1 investigation undertaken	2 investigations undertaken	1 investigation undertaken	2 investigations undertaken	1 investigation undertaken	2 investigations undertaken	1 investigation undertaken	
5. Legal oversight	g. No. of laws reviewed for adequacy of human rights standards	No. of laws reviewed	Review TORs formulated and Review of Laws pertaining to Fair Trial started	Review of Fair Trial Laws completed						TORs formulated and Laws pertaining to Minority Rights reviewed		TORs formulated and Laws pertaining to Equal Protection of Law reviewed		TORs formulated and Laws pertaining to Freedom of Speech reviewed	
	h. No. of new laws recommended to be adopted for human rights safeguards	No. of laws recommended No. of laws adopted			Additional Laws pertaining to Fair Trial recommended					Laws pertaining to Minority Rights recommended		Laws pertaining to Equal Protection of Laws recommended		Laws pertaining to Freedom of Speech recommended	
	i. No. of amendments proposed to existing laws for ensuring human rights safeguards	No. of amendments proposed No. of amendments adopted			Amendments proposed in Prosecution laws	Amendments proposed in CrPC	Amendments proposed in Prisons Act	Amendments proposed in Probation and Parole laws							
	j. No. of administrative measures proposed for implementation	No. of administrative measures proposed No. of administrative measures adopted	Review of torture and inhumane treatment practices undertaken	Measures related to curbing of torture and inhumane treatment proposed	Review of implementation practices of PECA undertaken	Measures relating to better implementation of PECA proposed	Review of practices of child marriages undertaken	Measures related to curbing of child marriages proposed	Review of the practices of honor killings undertaken	Measures related to curbing of honor killings proposed	Review of practices of forced marriages undertaken	Measures related to curbing of forced marriages proposed			
	k. No. of administrative measures proposed to be amended	No. of administrative measures proposed to be amended No. of administrative measures amended	Procedures for appointment of minorities and women reviewed	Amended procedures for appointment of minorities and women proposed	Procedure pertaining to processing of mercy petitions reviewed	Amended Procedure for processing of mercy petitions proposed	Procedures related to Pakistani prisoners abroad reviewed	Amended procedure relating to Pakistani prisoners abroad proposed							
	l. No. of treaties reviewed and recommended made for implementation	No. of treaties reviewed and recommended	Treaties having HR implications identified	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	10% or 4 treaties reviewed, and amendments proposed if any	Exercise to be repeated till review of all treaties completed	
	m. Steps proposed to be taken for making legislation more participatory	No. of proposals made No. of proposals adopted	Amendments in rules of business proposed	Amendments in rules of business processed											
	n. Steps taken to generate public demand for law reforms	No. of steps taken to generate public demand	4 Opinion pieces on law reform supported	4 Opinion pieces on law reform supported	Colloquium on law reform held				Colloquium on law reform held			Colloquium on law reform held			
				reform supported											
6. Policy advice	o. Formulation and release of the National Plan of Action (NPA)	Issued National Plan of Action	Determine scope, focus & indicators of NPA	Stakeholder consultation to finalize scope, focus, indicators and methodology. Allocation of work. 6 Month Review	Continuation of work on NPA	Continuation of Work Annual Review	Continuation of Work	Continuation of Work. 18 Month Review	Continuation of Work	Finalization and release of NPA	Implementation of NPA	Implementation of NPA continued	Implementation of NPA continued	Implementation of NPA continued	

Improving delivery of core functions through civil society partners															
7. Research and enabling research on critical issues	a. Establish a portal to provide access to all credible human rights research and reports selected by NCHR	Established portal	Portal designed	Procedure for selecting HR material to be uploaded finalized	Portal made functional										
	b. Enter partnerships with selected CSO, educational institutions doing human rights research	No. of partnerships entered	Criteria for selecting partners finalized	Partners selected. MOUs signed											
	c. Identify indicators and level of disaggregation for data and enter into agreements with relevant entities for data collection	No. of indicators reviewed and modified	Existing indicators mapped	Indicators reviewed and recommendations submitted	Agreements for data collection under new indicators made										
8. Improving awareness and advocacy	d. Showcase and highlight latest credible human rights research happening in the country	No. of human rights research showcased	Research found suitable for showcasing identified	Seminars held	Seminars held	Seminars held	Research found suitable for showcasing identified	Seminars held	Seminars held	Seminars held	Research found suitable for showcasing identified	Seminars held	Seminars held	Seminars held	
	e. Jointly undertake research and data collection	No. of joint undertakings	Fields identified for joint research	Agreements for joint research made	Financial allocations provided	Research started									
	f. Launch and hold seminars and workshops around on-going research	No. of seminars and workshops held	On Going research identified	Seminars held	Seminars held	Seminars held	On Going research identified	Seminars held	Seminars held	Seminars held	On Going research identified	Seminars held	Seminars held	Seminars held	
	g. Use research and data to inform the National Plan of Action	Data used to inform National Plan of Action	Data identified	Data used in NPA											
8. Improving awareness and advocacy	h. Formulation of institutional partnerships for joint work on designing and running awareness generation and advocacy campaigns	No. of institutional partnerships entered	Institutional partners identified	Agreements signed			Institutional partners identified	Agreements signed			Institutional partners identified	Agreements signed			
	i. Jointly designed and launched awareness generation and advocacy campaigns	No. of awareness generation and advocacy campaigns jointly designed and launched			Joint campaigns designed and approved	Joint campaigns approved and launched			Joint campaigns designed	Joint campaigns approved and launched			Joint campaigns designed	Joint campaigns approved and launched	
	j. Development of curricula, modules & training programs for human rights education	No. of curricula, modules & training programs for human rights education developed			TORs formulated for curricula, modules & training program development	HR curricula, modules and training programs developed	HR curricula, modules and training programs developed	HR curricula, modules and training programs developed							
8. Improving awareness and advocacy	k. Adoption and implementation of curricula and modules for human rights education adopted and implemented	No. of developed curricula and modules for human rights education adopted and implemented					HR curricula and modules implemented	HR curricula and modules implemented	HR curricula and modules implemented	HR curricula and modules implemented	HR curricula and modules implemented	HR curricula and modules implemented	HR curricula and modules implemented	HR curricula and modules implemented	
	Supporting NCHR as a custodian and driver of the national human rights debate														
	9. Map the state of human rights in Pakistan	a. Envision and design the State of Human Rights Report in Pakistan	Issuance of State of Human Rights Report in Pakistan	TORs for work formulated, work allocated, and resources identified	Template of the report finalized	Data collected and report drafted	Report printed	TORs for work formulated, work allocated and resources identified	Template of the report finalized	Data collected and report drafted	Report printed	TORs for work formulated, work allocated and resources identified	Template of the report finalized	Data collected and report drafted	Report printed
b. Organize a national conference on human rights		Holding of national conference on human rights	Agenda of conference formulated	Names of speakers and invitees finalized	Arrangements made	Conference held									
10. Generate and sustain meaningful debate on human rights	c. Hold seminars, workshops, colloquia and talks on human rights	No. of seminars, workshops and talks held on human rights	Agenda of seminars, talks, workshops finalized	Names of speakers and invitees finalized	Arrangements finalized and initial seminars, workshop talks etc held		Agenda of seminars, talks, workshops finalized	Names of speakers and invitees finalized	Arrangements finalized and initial seminars, workshop talks etc held		Agenda of seminars, talks, workshops finalized	Names of speakers and invitees finalized	Arrangements finalized and initial seminars, workshop talks etc held		
	d. Organize and host a regional conference on human rights	Holding of regional conference on human rights				Agenda of conference formulated	Names of speakers and invitees finalized	Arrangements made	Conference held						



# 3

Section

---

## PARLIAMENTARY WORKING GROUP



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 11<sup>th</sup> March, 2022

**OFFICE ORDER**

Subject: **PARLIAMENTARY WORKING GROUP FOR NATIONAL COMMISSION OF HUMAN RIGHTS (NCHR)**

**Purpose and Objectives:**

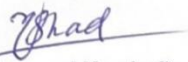
The purpose of establishing a Parliamentary Working Group is to create a platform for fostering awareness, advocacy, and collaborative efforts on a diverse range of issues, particularly those pertaining to organizations such as the National Commission of Human Rights (NCHR). This initiative seeks to enhance the relationship between the NCHR and legislative bodies, facilitating robust communication and cooperative endeavors.

**Approval and Tenure:**

The NCHR, in adherence to relevant legal procedures and requirements, is pleased to grant formal approval for the establishment of the Parliamentary Working Group. The designated members of the working group are as follows:

- 1) Ms. Rabiya Javeri Agha, Chairperson NCHR
- 2) Mr. Rana Ghulam Murtaza, Consultant (Admin and Parliamentary Affairs)
- 3) Mr. Mian Waqar Ahmed, Law Officer

The tenure of the Parliamentary Working Group shall be for a duration of two years commencing from March 12<sup>th</sup>, 2022 to March 12, 2024. During this period, the working group will actively engage in activities aligned with its purpose and objectives.

  
(Muhammad Naqshad)  
Assistant Director

**Copy to:**

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 4

Section

---

## **MONITORING AND REPORTING COMMITTEE**

GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>TH</sup> Floor Evacuee Trust Complex, F-5/1, Agha Khan Road, Islamabad

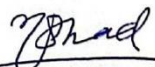
No. 1(72)/2020-Admn/NCHR

Islamabad, the 15<sup>th</sup> December, 2022

**OFFICE ORDER**

Subject:- **TERMS OF REFERENCE (TORS) OF THE MONITORING AND REPORTING COMMITTEE OF THE NCHR**

- 1) The basic function of the Monitoring and Reporting Committee will be the Follow-up of letters issued by the NCHR to the Ministries/Divisions/Departments/Agencies.
- 2) The Committee will monitor and report the progress of Government Departments/Agencies on the recommendations/advices of the NCHR.
- 3) The Committee will ensure the timely implementation on the recommendations of the NCHR.
- 4) The Committee will evaluate and report the progress/improvements on the correspondence made with the Government Departments on the recommendations of NCHR.
- 5) The Committee will provide feedback if necessary on the recommendations of the NCHR to the concerned authorities for improvement.
- 6) The Committee will collect reasons from Government Departments/Agencies on the non-implementation on the recommendations/advices of the NCHR
- 7) The Committee will review its progress on monthly basis and will inform the Commission on the hardships if any in this regard and will act further on the advice of the Chairperson/Commission.
- 8) The Committee will maintain complete confidentiality on the correspondence made with Government Departments.

  
(Muhammad Naqshad)  
Assistant Director (Admn-I)

**Distribution**

- (1) All officers/officials of Head Office, NCHR.
- (2) All Regional Offices, Lahore, Karachi, Quetta and Peshawar.



# 5

Section

---

## MONITORING FOLLOW-UP COMMITTEE



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS

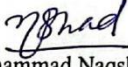
No. 1(91)/2021-Admn/NCHR

Islamabad, the 15<sup>th</sup> December, 2022

**OFFICE ORDER**

The Chairperson, NCHR has been pleased to approve the constitution of Monitoring & Follow-up Committee of National Commission for Human Rights comprising of the following:-

- 1) Mr. Ghulam Murtaza Rana, Chief Coordinator Chairman
- 2) Mr. Muhammad Naqshad, Assistant Director (Admn-I) Member
- 3) Coordinator of each Regional Office, Karachi, Lahore, Member  
Quetta and Peshawar

  
(Muhammad Naqshad)  
Assistant Director (Admn-I)

**Distribution**

- (1) All concerned
- (2) P.S. to Chairperson, NCHR
- (3) All Regional Offices, Lahore, Karachi, Peshawar & Quetta
- (4) Coordinator (Finance, NCHR



# 6

Section

---

## JAIL OVERSIGHT COMMITTEE



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No.4 (25)/2022-Legal/NCHR

Islamabad, the 23<sup>rd</sup> December, 2022

### OFFICE ORDER

In pursuance to the direction of the Islamabad High Court, Islamabad, in Writ Petition No. 3512/2022, title Imtiaz Bibi vs Ministry of Human Rights. The Chairperson National Commission for Human Right has been pleased to constitute an Oversight Committee to inquire into complaints of torture at Central Jail, Rawalpindi(Adiyala) comprising the following:-

1. **Dr. Rubina Fareed**, Medical Specialist (Women & Children).
2. **Safdar Chuadary**, Member, Human rights Commission of Pakistan.
3. **Rana Ghulam Murtaza**, Chief Coordinator, National Commission for Human Rights.
4. **Mian Waqar Ahmed**, Law Officer, National Commission for Human Rights.
5. **Ms. Sarah Belal**, Executive Director, Justice Project Pakistan.
6. **Prof Dr. Khurram Sohail Raja**, Head of Forensic Medicine and Toxicology Aziz Fatimah Medical and Dental College.

2. The SOPs of the committee will be issued later on.

  
(Muhammad Naqshad)  
Assistant Director (Admn)  
Tel.No (051-9216830)  
MUHAMMAD NAQSHAD  
Assistant Director (Admn)Genl  
National Commission for Human Rights  
Government of Pakistan  
Islamabad, Ph: 9216840

#### Distribution:-

1. All Concerns.
2. The Registrar, Islamabad High Court, Islamabad.
3. Director General, Human Rights Cell, Islamabad High Court, Islamabad.
4. Member, NCHR Punjab, Lahore.
5. The Inspector General of Prisons, Government of Punjab, Lahore.
6. The Superintendent Adiyala Jail, Rawalpindi.
7. Director General (H.R) MOHR Islamabad.
8. C.E.O Justice Project Pakistan Lahore.
9. Human Rights Commission of Pakistan Lahore.

051 9216771

5th Floor Evacuee Trust Complex, Agha Khan Road, Islamabad

www.nchr.gov.pk



# 7

Section

---

## **INTERNAL AUDIT COMMITTEE**



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 15<sup>th</sup> May, 2023

**OFFICE ORDER**

**Subject: INTERNAL AUDIT COMMITTEE**

1. Purpose:

The purpose of the Internal Audit Committee is to provide independent oversight of the NCHR's financial operations, internal controls, and compliance with relevant regulations. The committee will ensure transparency, accountability, and effective governance.

2. Composition:

The committee shall consist of a minimum of three members, with relevant expertise in finance, auditing, legal, or governance matters. Members should not have any direct involvement in NCHR's day-to-day financial operations.

3. Responsibilities:

- Review and assess the effectiveness of NCHR's internal control systems, risk management practices, and compliance mechanisms.
- Oversee the internal audit function, including the appointment, performance evaluation, and independence of the internal auditor.
- Review the annual internal audit plan and ensure alignment with NCHR's objectives and risks.
- Monitor the implementation of audit recommendations and management's response to identified issues.
- Provide a platform for open communication between the internal auditor, management, and the Board of Commissioners.
- Report findings, concerns, and recommendations to the NCHR's Board of Commissioners on a regular basis.

4. Meetings:

- The committee shall meet at least quarterly, and additional meetings may be called as necessary.
- A quorum shall be established with the presence of a majority of committee members.
- Minutes of each meeting, including discussions, decisions, and action items, shall be documented.

#### 5. Reporting:

- The committee shall prepare and present regular reports to the NCHR's Board of Commissioners, highlighting key findings, recommendations, and any significant matters related to financial operations and controls.
- In cases of material concerns or breaches, the committee will ensure timely reporting to the Board of Commissioners.

#### 6. Independence and Confidentiality:

- Members of the Internal Audit Committee shall exercise independent judgment and maintain strict confidentiality of committee discussions and sensitive information.

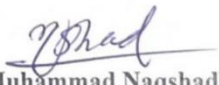
#### 7. Committee Review:

The committee shall review and update this charter periodically to ensure its alignment with changing regulations, best practices, and NCHR's needs.

By adopting this Internal Audit Committee framework, the NCHR aims to enhance its financial governance, strengthen internal controls, and uphold its commitment to transparency, accountability, and the promotion of human rights in Pakistan.

#### Members:

- 1- Rana Ghulam Murtaza, Chief Coordinator
2. Mr. Manzoor Masih, Member Minority
3. Mian Waqar Ahmed, Law Officer
4. Syed Ahsan Ayaz Kazmi, Coordinator
5. Ms. Alishba Kiani, Complaint Officer

  
(Muhammad Naqshad)  
(Assistant Director Admin-I)

#### Copy to:

4. All the officers/ officials of Head Office NCHR
  5. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  6. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 8

Section

---

## **HIRING & HR MANAGEMENT COMMITTEE**

GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
\*\*\*\*\*

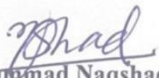
F. No. 1(63)2023-Admn/NCHR

Islamabad, 1<sup>st</sup> March, 2023

**OFFICE ORDER**

The Chairperson, NCHR has been pleased to approve the Hiring Assessment Committee of National Commission for Human Rights comprising of the following.

- |  |          |
|--|----------|
| 1. Rana Ghulam Murtaza<br>Consultant (Admn & Parliamentary Affairs). | Chairman |
| 2. Mr. Noor Ellahi<br>Coordinator Finance                            | Member   |
| 3. Mr. Muhammad Naqshad<br>Assistant Director (General)              | Member   |

  
(Muhammad Naqshad)  
Assistant Director (Admn)

**Distribution:**

- i. P.S to Chairperson, NCHR.
- ii. Coordinator (Finance), NCHR
- iii. Assistant Director (Admn-II), NCHR.
- iv. Assistant Director (General), NCHR





# 9

Section

---

## **GANHRI COMMITTEE**



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 2<sup>nd</sup> May, 2023

**OFFICE ORDER**

**Subject: GANHRI ACCREDITATION COMMITTEE**

**1. Purpose and Responsibilities:**

The GANHRI Accreditation Committee is established to facilitate and oversee the preparation process for the National Commission for Human Rights (NCHR) Pakistan's accreditation review by the Global Alliance of National Human Rights Institutions (GANHRI). The committee will ensure the organization's compliance with GANHRI's standards and principles.

**2. Committee Members:**

- Chairperson: Rabiya Javeri Agha

- Committee Members:

1. Nida Zaffar, Programs and communication Lead, NCHR.
2. Emaan Malik, Collective Rights Division Lead, NCHR.
3. Aleena Niaz, Rights and Equity Program lead, NCHR.
4. Mian Waqar Ahmed, Law officer, NCHR.

**4. Committee Size:**

The committee consists of 5 members, representing different departments within NCHR, to ensure comprehensive coverage of all relevant areas.

**5. Work Plan:**

The committee will develop a detailed work plan that outlines tasks, milestones, and deadlines leading up to the GANHRI accreditation review. This plan will be shared and regularly updated with committee members.

**6. Communication Channels:**

Communication will take place through regular meetings, email updates, and a designated shared workspace for document sharing and collaboration.

**7. Resources:**

The committee will have access to GANHRI accreditation guidelines, documentation templates, and any relevant training materials to support their work.

8. Orientation and Training:

An orientation session will be conducted to familiarize committee members with the GANHRI accreditation process, requirements, and NCHR's role within it. Additional training sessions will be arranged as needed.

9. Review of Existing Documentation:

The committee will assess NCHR's current practices and documentation against GANHRI's standards to identify areas of alignment and potential gaps.

10. Roadmap Development:

A comprehensive roadmap will be created, outlining the steps to be taken by the committee, including documentation collection, compliance gap addressing, and stakeholder coordination such as APF.

11. Documentation Preparation:

The committee will collaborate with respective departments to ensure accurate and comprehensive documentation preparation that aligns with GANHRI's criteria.

12. Progress Updates:

Regular committee meetings will be held to discuss progress, challenges, and ensure tasks are on track. Updates and action items will be documented for reference.

13. Mock Review and Evaluation:

A mock review of NCHR's documentation will be conducted to identify potential issues and areas needing improvement before the actual accreditation submission.

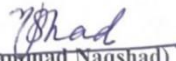
14. Final Review and Submission:

The committee will conduct a thorough review of the completed documentation to ensure alignment with NCHR's commitment to human rights principles and practices. The submission will be made by the designated deadline.

15. Post-Submission Activities:

The committee will remain available to address any follow-up inquiries from GANHRI and provide necessary information promptly.

By establishing the GANHRI Accreditation Committee, NCHR aims to streamline its efforts, ensure compliance with GANHRI's standards, and showcase its steadfast commitment to promoting and protecting human rights at both national and international levels.

  
(Muhammad Naqshad)  
(Assistant Director Admin-I)

Copy to:

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 10

Section

---

## **FINANCE & AUDIT COMMITTEE**



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



F.No. 1(72)/2020-Admn/NCHR

Dated: 17<sup>th</sup> June, 2022


**OFFICE ORDER**

**Subject: FINANCE AND AUDIT COMMITTEE FOR NATIONAL COMMISSION OF HUMAN RIGHTS (NCHR)**

**Working Method:**

The Finance and Audit Committee of NCHR is established to ensure financial integrity, transparency, and compliance within the organization. The committee convenes on a regular basis, typically quarterly, and holds additional meetings as necessary to address financial and audit-related matters.

1. Mr Noor Elahi, Coordinator Finance.
2. Mr Manzoor Masih, Member Minority.
3. Mr Rana Ghulam Murtaza, Chief Coordinator.

  
(Muhammad Naqshad)  
Assistant Director

Copy to:

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 11

Section

---

## **EXTERNAL ENGAGEMENT WORKING GROUP**



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 20<sup>th</sup> April, 2022

**OFFICE ORDER**

Subject: **NATIONAL COMMISSION OF HUMAN RIGHTS (NCHR) EXTERNAL ENGAGEMENT WORKING GROUP**

**Purpose and Objectives**

The External Engagement Working Group within the National Commission of Human Rights (NCHR) is established to strategically engage with external stakeholders, foster collaborations, and amplify the impact of NCHR's human rights advocacy. The primary objectives of this working group are to:

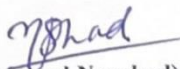
- Identify and cultivate relationships with key external partners, including governmental bodies, civil society organizations, international institutions, and media.
- Explore collaborative opportunities to advance human rights initiatives, awareness campaigns, and policy advocacy.
- Strategically communicate NCHR's mission, achievements, and recommendations to diverse audiences.
- Exchange knowledge, insights, and best practices to address human rights challenges collectively.

**2. Members**

1. Rabiya Javeri Agha , Chairperson NCHR
2. Dr Farkhanda Aurangzeb, Member Balochistan and Senior Social Activist.
3. Jawahar Fatiema, Communications & Program Lead

**Duration:**

The External Engagement Working Group will be established for an initial term of two years, subject to renewal based on performance and organizational priorities.

  
(Muhammad Naqshad)  
Assistant Director

**Copy to:**

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 12

Section

---

## **COORDINATION COMMITTEE – TOR**



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>TH</sup> Floor Evacuee Trust Complex, F-5/1, Agha Khan Road, Islamabad


No. 1(72)/2020-Admn/NCHR

Islamabad, the 19<sup>th</sup> December, 2022

**OFFICE ORDER**

Subject:- **TERMS OF REFERENCE OF COORDINATION COMMITTEE OF NCHR**

1. Monitoring and reporting on the implementation of decisions and recommendations of the Commission.
2. Facilitating coordination and communication between different departments and ministries of the federal government.
3. Reviewing progress on policy and project implementation across various sectors.
4. Identifying and addressing inter-departmental or inter-ministerial issues and conflicts.
5. Facilitating collaboration between federal, provincial, and local governments on cross-cutting issues.
6. Proposing measures to improve governance, transparency, efficiency, and accountability in the government machinery.
7. Advising on the allocation and utilization of resources for priority areas.
8. Ensuring compliance with laws, regulations, and policies related to decision-making, procurement, and financial management.
9. Any other task given by the relevant authority or deemed necessary for achieving the overall objectives of the Commission.

  
(Muhammad Naqshad)  
Assistant Director (Admn-I)

**Distribution**

- (1) All officers/officials of Head Office, NCHR.
- (2) All Regional Offices, Lahore, Karachi, Quetta and Peshawar.



# 13

## Section

---

# COORDINATION COMMITTEE FOR COORDINATION WITH REGIONAL OFFICES

GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS

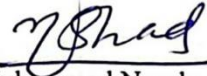
No. 1(91)/2021-Admn/NCHR

Islamabad, the 19<sup>th</sup> December, 2022

**OFFICE ORDER**

The Chairperson, NCHR has been pleased to approve the Constitution of Coordination Committee for Coordination with Regional Offices, National Commission for Human Rights comprising of the following:-

- |                             |          |
|-----------------------------|----------|
| 1) Secretary                | Chairman |
| 2) Chief Coordinator (Admn) | Member   |
| 3) Law Officer              | Member   |
| 4) Complaint Officer        | Member   |

  
(Muhammad Naqshad)  
Assistant Director (Admn-I)

**Distribution**

- (1) All concerned
- (2) P.S. to Chairperson, NCHR
- (3) All Regional Offices, Lahore, Karachi, Peshawar & Quetta
- (4) Coordinator (Finance, NCHR)



# 14

Section

---

## **COMPLAINT HANDLING WORKING GROUP**



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 15<sup>th</sup> June, 2022

**OFFICE ORDER**

**Subject: NATIONAL COMMISSION FOR HUMAN RIGHTS (NCHR) COMPLAINT HANDLING WORKING GROUP**

**Purpose and Objectives:**

The Complaints Working Group within the National Commission for Human Rights (NCHR) is established to efficiently and effectively address human rights complaints, ensuring prompt investigations, resolutions, and the protection of individuals' rights. The primary objectives of this working group are to:

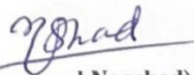
- Receive, assess, and prioritize human rights complaints from individuals, groups, and organizations.
- Conduct thorough and impartial investigations into reported human rights violations.
- Recommend appropriate actions, remedies, and follow-up measures to address complaints.
- Enhance transparency, accountability, and communication throughout the complaint-handling process.

**2. Membership:**

The working group will consist of:

1. Mr. Manzoor Masih, Member Minority.
2. Ms. Alishba Kiani, Complaint Officer.
3. Mr. Mian Waqar Ahmed, Law officer.

The Complaints Working Group will operate as an essential component of NCHR's operations, subject to continuous evaluation and organizational needs.

  
(Muhammad Naqshad)  
Assistant Director

**Copy to:**

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 15

Section

---

## ADVISORY COMMITTEE



**GOVERNMENT OF PAKISTAN**  
**NATIONAL COMMISSION FOR HUMAN RIGHTS**  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



F. No. 1(72)/2020-Admn/NCHR

Dated: 5<sup>th</sup> January, 2022

**OFFICE ORDER**

**Subject:** **NATIONAL COMMISSION FOR HUMAN RIGHTS (NCHR)**  
**ADVISORY COMMITTEE TERMS OF REFERENCE**

**Purpose:**

The purpose of the Advisory Committee is to provide expert guidance and recommendations to the National Commission for Human Rights (NCHR) in fulfilling its mandate of promoting, protecting, and ensuring the realization of human rights in Pakistan. This guidance will contribute to informed decision-making, policy formulation, and effective human rights advocacy. The NCHR's Advisory Committee is established to address specific challenges of the country and shall align closely with the NCHR's objectives. Advisory Committee members shall be appointed through a transparent process, adhering to principles of diversity and expertise. The term duration of the Advisory Committee shall be constrained to a period of two years, thereby ensuring a cyclic rotation to promote the infusion of novel viewpoints.

**Conclusion:**

These Terms of Reference have been approved by the NCHR Commission and are designed to guide the functioning of the Advisory Committee. The Committee will play an essential role in supporting the NCHR's mandate and fostering effective collaboration in advancing human rights protection across Pakistan.

**Mandate:**

The key responsibilities of the Advisory Committee include:

1. **Expert Analysis:** The Advisory Committee critically analyzes the human rights landscape in Pakistan, evaluating the prevailing challenges, advancements, and areas requiring attention.
2. **Issue Identification and Resolution:** The committee identifies and highlights pressing human rights issues, offering insights into potential solutions and strategies to address them comprehensively.

3. **Informed Decision-Making:** By providing informed perspectives, the Advisory Committee assists the NCHR in making well-informed decisions, policies, and recommendations related to human rights.
4. **Research and Surveys:** The committee contributes to the design, execution, and interpretation of human rights research and surveys, thereby generating valuable data to guide NCHR initiatives.
5. **Promotion of Best Practices:** Drawing from diverse expertise, the Advisory Committee shares best practices, innovative approaches, and global human rights standards that can be adopted to strengthen human rights protection in Pakistan.
6. **Specialized Insights:** The committee's members, hailing from various fields and backgrounds, bring specialized insights that help the NCHR address specific human rights challenges effectively.
7. **Public Awareness and Education:** By supporting awareness campaigns and educational initiatives, the Advisory Committee contributes to increasing public understanding of human rights principles and values.
8. **Enhanced Collaboration:** The committee fosters collaboration and information-sharing among different stakeholders, fostering a coordinated approach to human rights protection.
9. **Advisory Flexibility:** The NCHR can consult the Advisory Committee on a wide range of human rights matters, seeking guidance on emerging issues and evolving trends.
10. **Continuous Improvement:** The insights and recommendations provided by the Advisory Committee enable the NCHR to continuously improve its strategies and initiatives, adapting to changing circumstances and needs.

The Advisory Committee of the National Commission for Human Rights plays a pivotal role in shaping the direction and impact of human rights advocacy and protection in Pakistan. Its collective expertise, diverse perspectives, and commitment to human rights principles contribute significantly to the NCHR's effectiveness in promoting a just, equitable, and rights-respecting society.

**Working Method:**

The following principles guide the conduct and functioning of the Advisory Committee within the National Commission for Human Rights (NCHR) in Pakistan:

1. **Equity and Respect:** Each individual member of the Advisory Committee, as well as the collective group, is expected to uphold fairness, impartiality, and respect for all stakeholders including the public, fellow committee members, and staff.



2. **Advisory Role Acknowledgment:** Committee members recognize the limits of their individual and collective authority. Their primary role is to provide recommendations to the NCHR rather than making final decisions or supervising staff, unless explicitly granted by legal provisions.
3. **Valuing Diverse Perspectives:** Members are encouraged to value and consider diverse viewpoints from various sources, including fellow committee members, the community, authorities, and staff.
4. **Active Participation:** Every committee member is encouraged to actively engage in discussions and assigned tasks while maintaining a balanced participation that fosters inclusive dialogues. The Advisory Committee must hold meetings on a regular basis. This frequent interaction allows committee members to address human rights issues, share insights, and work collectively towards developing strategies and recommendations to uphold and advocate for human rights principles.
5. **Balanced Discussions:** The committee chair ensures that every member has an equal opportunity to express their expertise and viewpoints, fostering well-rounded and respectful deliberations.
6. **Striving for Agreement:** The Advisory Committee aims to reach consensus on matters of discussion. If consensus is not achievable, strong dissenting opinions, such as "minority" viewpoints, are recorded and acknowledged in official committee reports.
7. **Transparent Communication:** Surprise elements are avoided, and the scope of the committee's work as well as the method and timing of conveying recommendations to the NCHR are communicated transparently. The staff liaison plays a role in ensuring this transparency.
8. **Media Communications:** Any communication with the media regarding the committee's work is channeled through the designated chair to avoid any confusion between individual perspectives and the committee's collective consensus.
9. **Collaboration with Consultants:** In cases where consultants are engaged as part of committee activities, their management is overseen by staff due to contractual obligations. The committee collaborates with consultants and staff to fulfill its advisory role.
10. **Avoiding Unauthorized Discussions:** Committee members refrain from discussing committee matters through personal emails or unofficial meetings that are not properly noticed, ensuring compliance with open meeting laws. Legal counsel is available for advice on such matters.
11. **Conflict of Interest and Confidentiality:** Members of the Advisory Committee are committed to upholding the highest standards of integrity and ethical conduct. They are expected to disclose any potential conflicts of interest that might compromise the impartiality of their advisory role. Additionally, all discussions, deliberations, and information shared within the Advisory Committee are treated with utmost confidentiality to ensure the privacy and security of sensitive matters.

12. Term Length for NCHR Advisory Committee Members: The members of the NCHR Advisory Committee shall each serve for a term duration of two year.

**\*\*Role of Staff Liaisons:\*\***

For the NCHR's Advisory Committee, a staff liaison is assigned to facilitate effective communication and coordination. The liaison serves as a vital link between the committee, and the NCHR. Their responsibilities include:

- Ensuring compliance with meeting notifications and record keeping in alignment with relevant state laws.
- Facilitating communication between the committee and various stakeholders.
- Providing professional guidance, analysis, and recommendations.
- Assisting in research, report preparation, and correspondence aligned with the committee's mandate.
- Ensuring effective communication of the committee's intentions to the NCHR after decisions are made.
- Assisting the committee in maintaining its focus and productivity.
- Presenting the committee's recommendations to the NCHR when required.
- Cultivating a positive and productive relationship with the committee chair and members.

It's worth mentioning that staff liaisons are professionals who have wider duties beyond their liaison role. They work together with the committee to create important insights and suggestions for the NCHR to review, all of which contribute to improving human rights protection in Pakistan.

**(Muhammad**

**Naqshad)**

Assistant Director

Copy to:

- I. All the officers/ officials of Head Office NCHR
- II. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
- III. Notice Board of NCHR
- IV. Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn) Ministry of Human Rights with reference to her office letter No. 1(8)/2012-DG(HR)  
Dated 15.12.2021.



# 16

Section

---

## ADVISORY COMMITTEE NCHR PAKISTAN



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 15<sup>th</sup> June, 2022

**OFFICE ORDER**

**Subject: NATIONAL COMMISSION FOR HUMAN RIGHTS (NCHR)  
ADVISORY COMMITTEE**

Purpose:

The National Commission for Human Rights (NCHR) Advisory Committee is established to provide expert guidance and recommendations to the NCHR in its mission to promote, protect, and ensure the realization of human rights in Pakistan. The committee aims to contribute valuable insights for informed decision-making, policy formulation, and effective human rights advocacy.

Objectives:

1. Expert Guidance: Offer expert advice and insights to the NCHR on various human rights issues, challenges, and strategies.
2. Policy Formulation: Assist in the development and refinement of policies, regulations, and strategies related to human rights.
3. Advocacy Enhancement: Contribute to the formulation of effective advocacy strategies for raising awareness and advancing human rights causes.
4. Diversity and Inclusion: Ensure that the committee represents diverse backgrounds, expertise, and perspectives to foster comprehensive discussions.
5. Regional Focus: Address both national and regional human rights challenges, taking into consideration the unique contexts of different areas within Pakistan.

Composition:

The Advisory Committee shall comprise individuals with expertise in various areas related to human rights, law, social justice, academia, civil society, and other relevant fields. Committee members should demonstrate a strong commitment to human rights and social justice.

Appointment Process:

1. Open Nominations: The NCHR will invite nominations from individuals and organizations with proven expertise and dedication to human rights.
2. Selection Panel: A selection panel consisting of representatives from NCHR, civil society, and relevant stakeholders will review nominations and finalize committee members.

3. Diversity Considerations: The selection process will prioritize diversity in terms of gender, ethnicity, profession, and geographical representation.

4. Transparency: The appointment process will be transparent, ensuring that candidates are chosen solely on their merit and commitment.

**Term Duration:**

The term duration for members of the Advisory Committee shall be two years, with an option for renewal, aiming to ensure a periodic influx of fresh perspectives and ideas.

**Meetings and Engagement:**

The Advisory Committee will hold regular meetings, both in-person and virtually, to discuss critical human rights issues, share insights, and formulate recommendations. Members may also participate in workshops, seminars, and collaborative initiatives organized by the NCHR.

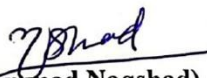
**Impact:**

The NCHR Advisory Committee's contributions will enrich the NCHR's efforts in promoting and protecting human rights in Pakistan. By providing expert opinions, diverse viewpoints, and well-informed recommendations, the committee will play a pivotal role in shaping effective policies and advocacy strategies.

The NCHR Advisory Committee stands as a testament to our commitment to upholding human rights principles and advancing social justice for all citizens of Pakistan.

**Members :**

1. Raja Haseeb Sultan, Legal advisor
2. Roshan Khurseed Bahrucha, Pakistani Politician
3. Rev. Rashid Mansoor
4. Myra Imran, Vice President of the National Press Club
5. Dr Samina Afridi, Professor.
6. Umm Ul Banin, Teacher and Human Rights activist.

  
(Muhammad Naqshad)  
(Assistant Director Admin-I)

**Copy to:**

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).



# 17

## Section

---

# SYNOPSIS OF THE PROTECTION AGAINST HARASSMENT OF WOMEN

## Synopsis of "The Protection against Harassment of Women at the Workplace (Amendment) Act 2022" in Pakistan:\*\*

The "Protection against Harassment of Women at the Workplace (Amendment) Act 2022" represents a pivotal legislative development aimed at safeguarding individuals against harassment and gender discrimination in the workplace in Pakistan. This amendment introduces several significant changes and provisions:

- 1. Expanded Definition of Harassment:** The amendment goes beyond physical harassment and explicitly includes gender discrimination, whether of a sexual nature or not, within its definition of harassment. This inclusive definition acknowledges the multifaceted nature of workplace harassment.
- 2. Inclusive Coverage:** The amended law expands its protective umbrella to cover students, a category previously excluded from such safeguards. This ensures that educational institutions are held accountable for providing a harassment-free environment.
- 3. Inclusive Definition of Employee:** The law broadens the term "employee" to encompass various types of workers, such as domestic and informal workers, gig workers, temporary employees, part-time workers, freelancers, trainees, domestic workers, home-based workers, and apprentices. This reflects the diversity of the workforce in Pakistan and offers protection to a wider range of individuals.
- 4. Wider Workplace Definition:** The concept of the workplace is redefined to encompass any location where an employee conducts their duties. This expansion ensures protection for workers in non-traditional settings, including athletes, artists, performers, actors, singers, and others in unique professions who may face harassment in their work environments.
- 5. Establishment of Committees and Code of Conduct:** Employers are now legally obligated to establish committees on sexual harassment and display a code of conduct within the workplace. This code explicitly outlines what constitutes sexual harassment, offering clear guidelines to both employees and employers.
- 6. Promoting Women's Workforce Participation:** A primary objective of this amendment is to encourage greater female participation in the workforce. By addressing existing gaps in the law, it aims to remove obstacles to women's employment and create a safer, more inclusive work environment.

In essence, the "Protection against Harassment of Women at the Workplace (Amendment) Act 2022" is a comprehensive legal framework that strengthens protections against harassment and discrimination, expands coverage to various types of workers and workplaces, and underscores Pakistan's commitment to gender equality and workplace safety. This amendment acknowledges the evolving nature of employment relationships and strives to ensure the dignity and well-being of all workers, regardless of their occupation or employment status.



# 18

## Section

---

# THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT, 2010



**The Gazette**  **of Pakistan**

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

---

ISLAMABAD, THURSDAY, MARCH 11, 2010

---

**[THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE  
WORKPLACE ACT 2010]**

PART 1

**Acts, Ordinance, President's Orders and Regulations**

**SENATE SECRETARIAT**

*Islamabad, the 11<sup>th</sup> March, 2010*

**No. F. 9 (5)/2009- Legis.**\_\_ The following Acts of Majlis-e-Shoora  
(Parliament) received the assent of the President on 9<sup>th</sup> March, 2010, are hereby  
published for general information:\_\_

Act No. IV OF 2010

*An Act to make provisions for the protection against harassment of women at the  
workplace*

**WHEREAS** the constitution of the Islamic Republic of Pakistan recognizes the  
fundamental rights of citizens to dignity of person;

**AND WHEREAS** it is expedient to make this provision for the protection of  
women from harassment at the workplace;

It is hereby enacted as follows:

**1. Short title, extent and commencement.** - (1) This Act may be called the Protection against Harassment *of women* at the Workplace Act, 2010.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

**2. Definitions.** – In this Act, unless there is anything repugnant in the subject or context,–

(a) “accused” means an employee or employer of an organization against whom complaint has been made under this Act;

(b) “CBA” means *Collective Bargaining Agent as provided in the Industrial Relations Act 2008, ( IV of 2008) or any other law for the time being in force.*

(c) “Code” means the Code of Conduct as mentioned in the Schedule to this Act;

(d) “Competent Authority” means the authority as may be designated by the management for the purposes of this Act;

(e) “Complainant” means a woman or man who has made a complaint to the Ombudsman or to the Inquiry Committee on being aggrieved by an act of harassment;

(f) “Employee” means a regular or contractual employee whether employed on daily, weekly, or monthly or hourly basis, and includes an *intern or an apprentice*;

(g) “Employer” in relation to an organization, means any person or body of persons whether incorporated or not, who or which employs workers in an organization under a contract of employment or in any other manner whatsoever and includes –

(i) an heir, successor or assign, as the case may be, of such person or, body as aforesaid;

(ii) any person responsible for the direction, administration,

- management and control of the management;
- (iii) the authority, in relation of an organization or a group of organization run by or under the authority of any Ministry or department of the Federal Government or a Provincial government, appointed in this behalf or, where no authority is appointed, the head of the Ministry or department as the case may be;
  - (iv) the office bearer, in relation to an organization run by or on behalf of the local authority, appointed in this behalf, or where no officer is so appointed, the chief executive officer bearer of that authority;
  - (v) the proprietor, in relation to any other organization, of such organization and every director, manager, secretary, agent or office bearer or person concerned with the management of the affairs thereof.
  - (vi) a contractor or an organization of a contractor who or which undertakes to procure the labour or services of employees for use by another person or in another organization for any purpose whatsoever and for payment in any form and on any basis whatsoever; and
  - (vi) office bearers of a department of a Division of a Federal or a Provincial or local authority who belong to the managerial, secretarial or directional cadre or categories of supervisors or agents and those who have been notified for this purpose in the official Gazette;
- (h) harassment” means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment;
  - (i) “Inquiry Committee” means the Inquiry Committee established under

sub-section (1) of section 3;

- (j) “management” means a person or body of persons responsible for the management of the affairs of an organization and includes an employer;
- (k) “Ombudsman” means the Ombudsman appointed under section 7
  
- (l) “organization” means a Federal or Provincial Government Ministry, Division or department, a corporation or any autonomous or semi-autonomous body, Educational Institutes, Medical facilities established or controlled by the Federal or Provincial Government or District Government or registered civil society associations or privately managed a commercial or an industrial establishment or institution, a company as defined in the Companies Ordinance, 1984 (XLVII of 1984) and includes any other registered private sector organization or institution;
- (m) “Schedule” means Schedule annexed to this Act;
- (n) “workplace” means the place of work or the premises where an organization or employer operates and includes building, factory, open area or a larger geographical area where the activities of the organization or of employer are carried out and including any situation that is linked to official work or official activity outside the office.

**3. Inquiry Committee.** – (1) Each organization shall constitute an Inquiry Committee within thirty days of the enactment of this Act to enquire into complaints under this Act.

(2) The Committee shall consist of three members of whom at least one member shall be a woman. One member shall be from senior management and one shall be a senior representative of the employees or a senior employee where there is no CBA. One or more members can be co-opted from outside the organization if the organization is unable to designate three members from within as described above. A Chairperson shall be designated from amongst them.

(3) In case a complaint is made against one of the members of the Inquiry Committee that member should be replaced by another for that particular case. Such member may be from within or outside the organization.

(4) In case where no competent authority is designated the organization shall within thirty days of the enactment of this Act designate a competent authority

**4. Procedure for holding inquiry.**– (1) The Inquiry Committee, within three days of receipt of a written complaint, shall–

- (a) communicate to the accused the charges and statement of allegations leveled against him, the formal written receipt of which will be given;
- (b) require the accused within seven days from the day the charge is communicated to him to submit a written defense and on his failure to do so without reasonable cause, the Committee shall proceed ex-parte; and
- (c) enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as the Committee may consider necessary and each party shall be entitled to cross-examine the witnesses against him.

(2) Subject to the provisions of this Act and any rules made thereunder the Inquiry Committee shall have power to regulate its own procedure for conducting inquiry and for the fixing place and time of its sitting.

(3) The following provisions *inter alia* shall be followed by the Committee in relation to inquiry:

- (a) The statements and other evidence acquired in the inquiry process shall be considered as confidential;
- (b) An officer in an organization, if considered necessary, may be nominated to provide advice and assistance to each party;
- (c) Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a Collective Bargaining Agent representative, a friend or a colleague;

- (d) Adverse action shall not be taken against the complainant or the witnesses;
- (e) The inquiry Committee shall ensure that the employer or accused shall in no case create any hostile environment for the complainant so as to pressurize her from freely pursuing her complaint; and
- (f) The Inquiry Committee shall give its findings in writing by recording reasons thereof.

(4) The Inquiry Committee shall submit its findings and recommendations to the Competent Authority within thirty days of the initiation of inquiry. If the Inquiry Committee finds the accused to be guilty it shall recommend to the Competent Authority for imposing one or more of the following penalties:

**(i) Minor penalties:**

- (a) censure;
- (b) withholding, for a specific period, promotion or increment;
- (c) stoppage, for a specific period, at an efficiency bar in the time-scale, otherwise than for unfitness to cross such bar; and
- (d) recovery of the compensation payable to the complainant from pay or any other source of the accused;

**(ii) Major penalties:**

- (a) reduction to a lower post or time-scale, or to a lower stage in a time-scale;
- (b) compulsory retirement;
- (c) removal from service;
- (d) dismissal from service; and
- (e) Fine. A part of the fine can be used as compensation for the complainant. In case of the owner, the fine shall be payable to the complainant.

(5) The Competent Authority shall impose the penalty recommended by the

Inquiry Committee under sub-section (4) within one week of the receipt of the recommendations of the Inquiry Committee

(6) The Inquiry Committee shall meet on regular basis and monitor the situation regularly until they are satisfied that their recommendations subject to decision, if any of Competent Authority and Appellate Authority have been implemented.

(7) In case the complainant is in trauma the organization will arrange for *psycho-social* counseling or *medical treatment* and for additional medical leave.

(8) The organization may also offer compensation to the complainant in case of loss of salary or other damages.

**5. Powers of the Inquiry Committee.** – (1) The Inquiry Committee shall have power–

- (a) to summon and enforce attendance of any person and examine him on oath;
- (b) to require the discovery and production of any document;
- (c) to receive evidence on affidavits; and
- (d) to record evidence.

(2) The Inquiry Committee shall have the power to inquire into the matters of harassment under this Act, to get the complainant or the accused medically examined by an authorized doctor, if necessary, and may recommend appropriate penalty against the accused within the meaning of sub-section (4) of section 4.

(3) The Inquiry Committee may recommend to Ombudsman for appropriate action against the complainant if allegations leveled against the accused found to be false and made with mala fide intentions.

(4) The Inquiry Committee can instruct to treat the proceedings confidential.

**6. Appeal against minor and major penalties.**– (1) Any party aggrieved by

decision of the Competent Authority on whom minor or major penalty is imposed may within thirty days of written communication of decision prefer an appeal to an Ombudsman established under section 7 .

(2) A complainant aggrieved by the decision of the Competent Authority may also prefer appeal within thirty days of the decision to the Ombudsman.

(3) The Appellate Authority may, on consideration of the appeal and any other relevant material, confirm, set aside, vary or modify the decision within thirty days in respect of which such appeal is made. It shall communicate the decision to both the parties and the employer.

(4) Until such a time that the ombudsman is appointed the District Court shall have the jurisdiction to hear appeals against the decisions of Competent Authority and the provisions of sub-sections (1) to (3) shall *mutatis mutandis* apply

(5) On the appointment of Ombudsman all appeals pending before the District Court shall stand transferred to Ombudsman who may proceed with the case from the stage at which it was pending immediately before such transfer.

**7. Ombudsman:-** (1) The respective Governments shall appoint an ombudsman at the Federal and provincial levels.

(2) A person shall be qualified to be appointed as an Ombudsman who has been a judge of high court or qualified to be appointed as a judge of high court. The Ombudsman may recruit such staff as required to achieve the purposes of this Act and the finances will be provided by the respective Governments

**8. Ombudsman to enquire into complaint.-** (1) Any employee shall have the option to prefer a complaint either to the Ombudsman or the Inquiry Committee. ‘

(2) The Ombudsman shall within 3 days of receiving a complaint issue a written show cause notice to the accused. The accused after the receipt of written notice, shall submit written defense to the Ombudsman within five days and his failure to do so without reasonable cause the Ombudsman may proceed *ex parte*. Both the parties can represent themselves



before the Ombudsman.

- (3) The Ombudsman shall conduct an inquiry into the matter according to the rules made under this Act and conduct proceedings as the Ombudsman deems proper.
- (4) For the purposes of an investigation under this Act, the Ombudsman may require any office or member of an organization concerned to furnish any information or to produce any document which in the opinion of the Ombudsman is relevant and helpful in the conduct of the investigation.
- (5) The Ombudsman shall record his decision and inform both parties and the management of the concerned organization for implementation of the orders.

**9. Representation to President or Governor:-** Any person aggrieved by a decision of Ombudsman under sub-section (5) of section 8, may, within thirty days of decision, make a representation to the President or Governor, as the case may be, who may pass such order thereon as he may deem fit.

#### **10. Powers of the Ombudsman**

The Ombudsman shall for the purpose of this Act have the same powers as are vested in a Civil Court under the Code of Civil Procedures, 1908 (Act V of 1908), in respect of the following matters, namely:

- i. Summoning and enforcing the attendance of any person and examining him on oath;
  - ii. Compelling the production of evidence;
  - iii. Receiving evidence on affidavits;
  - iv. Issuing commission for the examination of witnesses
  - v. entering any premises for the purpose of making any inspection or investigation, enter any premises where the Ombudsman has a reason to believe that any information relevant to the case may be found; and
  - vi. The Ombudsman shall have the same powers as the High Court has to punish any person for its contempt.
- (2) Ombudsman shall while making the decision on the complaint may impose any of the

minor or major penalties specified in sub- section (4) of section 4.

**11. Responsibility of employer.**– (1) It shall be the responsibility of the employer to ensure implementation of this Act, including but not limited to incorporate the Code of Conduct for protection *against harassment at the workplace* as a part of their management policy and to form Inquiry Committee referred to in section 3 and designate a competent authority referred to in section 4.

(2) The management shall display copies of the Code in English as well as in language understood by the majority of employees at conspicuous place in the organization and the work place within six months of the commencement of this Act.

(3) On failure of an employer to comply with the provisions of this section any employee of an organization may file *a petition before the District Court* and on having been found guilty the employer shall be liable to fine which may extend to one hundred thousand rupees but shall not be less than twenty-five thousand rupees.

**12. Provisions of the Act in addition to and not in derogation of any other law.**– The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force.

**13. Power to make rules.**–The Federal Government may make rules to carryout the purposes of this Act.

*Schedule*  
*[See sections 2(c) and 11]*

**CODE OF CONDUCT FOR PROTECTION AGAINST HARASSMENT OF  
WOMEN AT THE WORKPLACE**

Whereas it is expedient to make the Code of Conduct at the Workplace etc to provide protection and safety to women against harassment it is hereby provided as under:

- (i) The Code provides a guideline for behavior of all employees, including management, and the owners of an organization to ensure a work environment free of harassment and intimidation;
- (ii) “Harassment” means any unwelcome sexual advance, request for sexual favors or other verbal or written communication or physical conduct of a sexual nature, or sexually demeaning attitudes, causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment;

The above is unacceptable behavior in the organization and at the workplace, including in any interaction or situation that is linked to official work or official activity outside the office.

***Explanation:***

There are three significant manifestations of harassment in the work environment:

**(a) Abuse of authority**

A demand by a person in authority, such as a supervisor, for sexual favors in order for the complainant to keep or obtain certain job benefits, be it a wage increase, a promotion, training opportunity, a transfer or the job itself.

**(b) Creating a hostile environment**

Any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature, which interferes with an individual's work performance or creates an intimidating, hostile, abusive or offensive work environment.

The typical "hostile environment" claim, in general, requires finding of a pattern of offensive conduct, however, in cases where the harassment is particularly severe, such as in cases involving physical contact, a single offensive incident will constitute a violation.

**(c) Retaliation**

The refusal to grant a sexual favor can result in retaliation, which may include limiting the employee's options for future promotions or training, distorting the evaluation reports, generating gossip against the employee or other ways of limiting access to his/her rights. Such behavior is also a part of the harassment.

- (iii) An informal approach to resolve a complaint of harassment may be through mediation between the parties involved and by providing advice and counseling on a strictly confidential basis;
- (iv) *A complainant or a staff member designated by the complainant* for the purpose may report an incident of harassment informally to her supervisor, or a member of the Inquiry Committee, in which case the supervisor or the Committee member may address the issue at her discretion in the spirit of this Code. The request may be made orally or in writing;

- (v) If the case is taken up for investigation at an informal level, a senior manager from the office or the head office will conduct the investigation in a confidential manner. The alleged accused will be approached with the intention of resolving the matter in a confidential manner;
- (vi) If the incident or the case reported does constitute harassment of a higher degree and the officer or a member reviewing the case feels that it needs to be pursued formally for a disciplinary action, with the consent of the complainant, the case can be taken as a formal complaint;
- (vii) A complainant does not necessarily have to take a complaint of harassment through the informal channel. She can launch a formal complaint at any time;
- (viii) The complainant may make formal complaint through her incharge, supervisor, CBA nominee or worker's representative, as the case may be, or directly to any member of the Inquiry Committee. The Committee member approached is obligated to initiate the process of investigation. The supervisor shall facilitate the process and is obligated not to cover up or obstruct the inquiry;
- (ix) Assistance in the inquiry procedure can be sought from any member of the organization who should be contacted to assist in such a case;
- (x) The employer shall do its best to temporarily make adjustments so that the accused and the complainant do not have to interact for official purposes during the investigation period. This would include temporarily changing the office, in case both sit in one office, or taking away any extra charge over and above their contract which may give one party excessive powers over the other's job conditions. The employer can also decide to send the accused on leave, or suspend the accused in accordance with the applicable procedures for dealing with the cases of misconduct, if required;

- (xi) Retaliation from either party should be strictly monitored. During the process of the investigation work, evaluation, daily duties, reporting structure and any parallel inquiries initiated should be strictly monitored to avoid any retaliation from either side;
- (xii) The harassment usually occurs between colleagues when they are alone, therefore usually it is difficult to produce evidence. It is strongly recommended that staff should report an offensive behavior immediately to someone they trust, even if they do not wish to make a formal complaint at the time. Although not reporting immediately shall not affect the merits of the case; and
- (xiii) The Code lays down the minimum standards of behavior regarding protection of women from harassment at workplace etc but will not affect any better arrangement that an organization may have developed nor will it bar the grant of protection that employees working in an institute may secure from their employers through negotiation.

## **STATEMENT OF OBJECTS AND REASONS**

The objective of this Act is to create a safe working environment for women, which is free of harassment, abuse and intimidation with a view toward fulfillment of their right to work with dignity. It will also enable higher productivity and a better quality of life at work. Harassment is one of the biggest hurdles faced by working women preventing many who want to work to get themselves and their families out of poverty. This Act will open the path for women to participate more fully in the development of this country at all levels.

This Act builds on the principles of equal opportunity for men and women and their right to earn a livelihood without fear of discrimination as stipulated in the Constitution. This Act complies with the Government's commitment to high international labour standards and empowerment of women. It also adheres to the Human Rights Declaration, the United Nation's Convention for Elimination of all forms of Discrimination Against Women and ILO's convention 100 and 111 on workers' rights. It adheres to the principles of Islam and all other religions in our country which assure women's dignity.

This Act requires all public and private organizations to adopt an internal Code of Conduct and a complain/appeals mechanism aimed at establishing a safe working environment, free of intimidation and abuse, for all working women. It shall also establish an Ombudsman at Federal and provincial levels.

**MINISTER-IN-CHARGE**

**YOUSAF RAZA GILLANI**

**PRIME MINISTER**

**ISLAMIC REPUBLIC OF PAKISTAN**



# 19

## Section

---

# **THE PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE (AMENDMENT) ACT, 2022**



REGISTERED No.  $\frac{M - 302}{L - 7646}$

**The Gazette**  **of Pakistan**

EXTRAORDINARY  
PUBLISHED BY AUTHORITY

---

---

ISLAMABAD, TUESDAY, JANUARY 25, 2022

---

---

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY SECRETARIAT

*Islamabad, the 24th January, 2022*

No. F. 22(28)/2021-Legis.— The following Act of *Majlis-e-Shoora* (Parliament) received the assent of the President on the 21st January, 2022 is hereby published for general information:—

ACT NO. V OF 2022

*to amend the Protection against Harassment of women at the Workplace Act, 2010.*

WHEREAS it is expedient to amend the Protection against Harassment of women at the Workplace Act, 2010, (IV of 2010) for the purposes appearing hereinafter;

It is hereby enacted as follows:—

1. **Short title and commencement.**— (1) This Act shall be called the Protection against Harassment of women at the Workplace (Amendment) Act, 2022.

(29)

*Price: Rs. 10.00*

[7124(2022)/Ex. Gaz.].

(2) It shall come into force at once.

2. **Amendment of section 2, Act IV of 2010.**— In the Protection against Harassment of Women at the Workplace Act, 2010 (IV of 2010), hereinafter referred to as the said Act, in section 2,—

(a) in clause (e), for the words “a woman or man”, the words “any person” shall be substituted and after the word “harassment”, the expression “and shall include a former employee who has been removed or dismissed from service or has resigned, and a parent or guardian where the complainant is a minor” shall be inserted;

(b) for clause (f), the following shall be substituted, namely:—

“(f) “employee” includes a regular, contractual, piece-rate, gig, temporary, part-time, freelance employee whether employed through express or implied contract on daily, weekly, monthly or hourly basis, and shall include a student, a performer, an artist, a sportsman, an intern, trainee, a domestic worker, a home-based worker or an apprentice whether working for remuneration or not, or whether working on a voluntary basis or otherwise;”;

(c) in clause (g), in sub-clause (vi), the word “and” at the end shall be omitted and after sub-clause (vii), the following new sub-clauses shall be added, namely:—

(viii) person discharging any contractual obligations with respect to his employees and expressly or impliedly procures the services or labour of persons whether as freelancers or part-time employees;

(ix) a person who owns or manages an online or customer to customer or business to customer or any other virtual or remote business; and

(x) in relation to a dwelling place or house, a person or a household who employs or benefits from the employment of home-based workers, irrespective of the number, time period or type of such worker employed, or the nature of the employment or activities performed by the home-based worker;”;

(d) for clause (h), the following shall be substituted namely:—

“(h) “harassment” means—

(i) any unwelcome sexual advance, request for sexual favours, stalking or cyber stalking or other verbal, visual

or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, including any gestures or expression conveying derogatory connotation causing interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment; or

(ii) discrimination on basis of gender, which may or may not be sexual in nature, but which may embody a discriminatory and prejudicial mind-set or notion, resulting in discriminatory behavior on basis of gender against the complainant;”

(c) for clause (k), the following shall be substituted, namely:—

“(k) “Ombudsperson” means the Ombudsperson appointed under section 7;”;

(f) elsewhere in the said Act, for the word “Ombudsman” the word “Ombudsperson” shall be substituted;

(g) in clause (1), for the expression “Companies Ordinance, 1984 (XLVII of 1984)” the expression “Companies Act, 2017 (Act No. XIX of 2017)” shall be substituted and after the word “institution”, occurring at the end, the words “or online business” shall be inserted;

(h) for clause (n), the following shall be substituted, namely:—

“(n) “workplace” means the place of work or any place where services are rendered or performed by professionals, including educational institutions, gigs, concerts, studios, performance facilities, courts, highways, sporting facilities and gymnasiums, and shall include any building, factory, open area or a larger geographical area, where the activities of the organization or of employer are carried out and includes any situation that is linked to work or activity outside the office.”.

3. **Amendment of section 4, Act IV of 2010.**— In the said Act, in section 4,—

(a) in sub-section (2), for the full stop at the end, the following expression shall be substituted, namely: —

“and, where applicable, apply appropriate child-sensitive procedures.”;

(b) in sub-section (4),—

- (i) in the rider clause, after the word “penalties”, the expression “,as applicable” shall be inserted;
- (ii) in clause (ii), in sub-clause (d), the word “and” at the end shall be omitted and thereafter the following new sub-clause shall be inserted, namely:—

“(da) suspension or cancellation of a professional licence; and”.

4. **Amendment of section 5, Act IV of 2010.**— In the said Act, in section 5, in sub-section (1), in clause (b), for the word “document”, the words “documentary, audio or video evidence” shall be substituted.

5. **Amendment of section 8, Act IV of 2010.**— In the said Act, in section 8, —

- (a) in sub-section (1), for the word “employee”, the word “complainant” shall be substituted; and
- (b) after sub-section (5), the following new sub-section shall be added, namely:—

“(6) The Ombudsperson shall decide a case or appeal, as the case may be, within a period of ninety days.”.

6. **Amendment of section 9, Act IV of 2010.**— In the said Act, in section 9, after the full stop at the end, the expression “The President or the Governor, as the case may be, shall decide such representation within ninety days.” shall be added.

7. **Amendment of Schedule, Act IV of 2010.**— In the said Act, in the Schedule, in the first paragraph,—

- (A) in clause (ii),—
- (I) for the definition of “harassment”, the following definition shall be substituted, namely:—

“(ii) “harassment” means.—

- (a) any unwelcome sexual advance, request for sexual favours, stalking or cyber stalking or other verbal, visual or written communication or physical conduct of a sexual nature or sexually demeaning attitudes, including any gestures or expression conveying derogatory connotation causing

interference with work performance or creating an intimidating, hostile or offensive work environment, or the attempt to punish the complainant for refusal to comply to such a request or is made a condition for employment; or

- (b) discrimination on basis of gender, which may or may not be sexual in nature, but which may embody discriminatory and prejudicial mind-set or notion, resulting in discriminatory behavior on basis of gender against the complainant:

Provided that a single incident having the effect of making a person uncomfortable or creating a sense of fear or panic at the workplace is also harassment.”; and

- (II) in the Explanation, for clause (b) the following shall be substituted, namely:—

**“(b) Creating a hostile environment**

Any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature, which interferes with an individual’s work performance or creates an intimidating, hostile, abusive or offensive work environment; or any discrimination on basis of gender, which may or may not be sexual in nature, but which may embody a discriminatory and prejudicial mind-set or notion resulting in discriminatory behavior on basis of gender.

The typical “hostile environment” claim, in general, requires finding of a pattern of offensive conduct, however, in cases where the harassment is particularly severe, such as in cases involving physical contact or gender-based discrimination, a single offensive incident will constitute a violation.”; and

- (B) in clause (xi), after the full stop at the end, the following shall be added, namely: —

“Filing counter-blast suits for defamation etc. are also retaliation. The Ombudsperson or Inquiry Committee, as the case may be, should take notice of this in his or its proceedings.”.

TAHIR HUSSAIN,  
*Secretary.*



# 20

Section

---

## ANTI HARASSMENT COMMITTEE

GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>st</sup> Floor, Evacuee Trust Complex, F-5/1, Aga Khan Road  
\*\*\*\*\*

No.1(72)/2020-Admn/NCHR

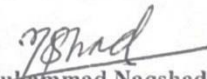
Islamabad, the 23<sup>rd</sup> December, 2021

**OFFICE ORDER**

**Subject: CONSTITUTION OF INQUIRY COMMITTEES IN MINISTRIES/DIVISIONS/DEPARTMENTS/ORGANIZATIONS UNDER PROTECTION AGAINST HARASSMENT OF WOMEN AT THE WORKPLACE ACT 2010.**

In pursuance of the provisions of the Protection against Harassment of Women at the Workplace Act 2010, the Inquiry Committee comprising of following officers of National Commission for Human Rights is constituted to address the cases of harassment of women at workplace

- a. Ms. Farkhanda Aurangzaib, Member Balochistan, NCHR
  - b. Mr. Manzoor Masih, Member Minorities, NCHR
  - c. Mr. Mian Waqar Ahmed, Law officer, NCHR
2. All concerned are intimated to feel free bringing their issues in the notice of the above Committee.
  3. This issues with the approval of the Chairperson, NCHR

  
(Muhammad Naqshad)  
Assistant Director

Copy to:

- i. All the officers/officials of Head Office NCHR
- ii. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
- iii. Notice Board of NCHR
- iv. Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn) Ministry of Human Rights with reference to her office letter No. 1(8)/2012-DG(HR) dated 15.12.2021.



# 21

Section

---

## **ROLES AND RESPONSIBILITIES OF CHAIRPERSON AND MEMBERS NCHR**



# Roles and Responsibilities of Chairperson and Members of the National Commission for Human Rights (NCHR) Pakistan:

## Chairperson NCHR:

### 1. Leadership and Strategic Direction:

- Provide visionary leadership to the NCHR, setting clear strategic goals and directions aligned with the organization's human rights mandate.
- Develop and implement strategies to ensure the efficient and effective functioning of the NCHR.

### 2. Representation and Advocacy:

- Represent NCHR in high-level engagements with government officials, international organizations, civil society groups, and the media.
- Advocate for the promotion and protection of human rights, both within Pakistan and on the international stage.

### 3. Policy Development and Implementation:

- Play a central role in formulating comprehensive policies and action plans that address pressing human rights issues in Pakistan.
- Oversee the implementation of these policies to ensure they have a tangible impact on improving human rights conditions.

### 4. Decision-Making and Governance:

- Chair meetings and sessions of the NCHR, facilitating discussions, and making informed decisions in line with the commission's mandate and legal framework.
- Uphold the principles of transparency, inclusivity, and fairness in the decision-making process.

### 5. Communication and Reporting:

- Effectively communicate the NCHR's findings, recommendations, and annual/special reports to government authorities, parliament, international bodies, civil society organizations, the media, and the public.

- Ensure that the NCHR's communications enhance public awareness of human rights issues and encourage accountability.

## **6. Coordination and Team Leadership:**

- Coordinate the activities of NCHR members and staff, fostering a collaborative and productive work environment.

- Provide guidance and support to NCHR members, promoting a culture of excellence and professionalism.

## **7. Engagement and Collaboration:**

- Engage in constructive dialogue with government officials, civil society organizations, human rights defenders, and other stakeholders to build partnerships and promote cooperation in addressing human rights challenges.

## **Members NCHR:**

### **1. Advisory Role and Expertise:**

- Provide expert advice and recommendations on complex human rights issues, cases, and policies under consideration by the NCHR.

- Offer specialized knowledge and insights in various areas of human rights, such as civil and political rights, economic and social rights, and cultural rights.

### **2. Investigations and Fact-Finding:**

- Actively participate in investigations, inquiries, and fact-finding missions related to alleged human rights violations, ensuring thorough and impartial examinations.

### **3. Review and Analysis:**

- Review reports, data, and findings related to human rights issues, contributing to comprehensive analyses and assessments of the human rights situation in Pakistan.

### **4. Complaint Handling and Redress:**

- Hear and address complaints and petitions submitted by individuals or groups regarding human rights violations, ensuring prompt and fair resolution.

### **5. Public Awareness and Education:**

- Engage in public awareness campaigns, educational activities, and outreach programs to promote a deeper understanding of human rights principles among the general public.

#### **6. Policy Advocacy and Recommendations:**

- Contribute to the development of policy recommendations and guidelines to address systemic human rights issues in Pakistan, emphasizing evidence-based and rights-based approaches.

#### **7. Collaboration and Stakeholder Engagement:**

- Collaborate effectively with the Chairperson, other NCHR members, and external stakeholders to maximize the impact of the NCHR's work in advancing human rights.

#### **8. Accountability and Monitoring:**

- Monitor the implementation of NCHR recommendations and advocate for their enforcement at various levels of government and within society.

- Act as a watchdog to ensure government compliance with international human rights standards.

***Immunity for NCHR members is designed to safeguard their independence and protect them from undue interference while carrying out their human rights duties. However, it is not absolute due to the following reasons:***

**1. Accountability Mechanisms:** Immunity does not exempt NCHR members from accountability. Accountability mechanisms exist to address gross misconduct, abuse of authority, or actions taken outside their official duties.

**2. Rule of Law:** Upholding the rule of law is paramount. Immunity should not be misused to evade legal consequences for wrongful actions, ensuring that NCHR members are subject to the same legal standards as others.

**3. Public Trust:** Maintaining public trust is critical for the NCHR's effectiveness. Immunity, when misapplied, can erode trust. It is essential to ensure that NCHR members act with integrity and within their mandate to maintain public confidence.

**4. Checks and Balances:** Striking a balance between protecting NCHR members' independence and ensuring accountability is essential. Oversight mechanisms and adherence to ethical standards help strike this balance, preventing misuse of immunity.

By understanding the limitations of immunity and the importance of accountability, NCHR members can fulfill their roles effectively, contributing to the promotion and protection of human rights in Pakistan while maintaining the trust of the public and international

community.

## **Role and Responsibility of the Secretary NCHR**

### **1. Administrative Leadership:**

- Provide strong administrative leadership and guidance to the NCHR, overseeing the day-to-day operations of the commission and ensuring its smooth functioning.

### **2. Record Keeping and Documentation:**

- Oversee the establishment and maintenance of a comprehensive record-keeping system. Ensure the proper documentation of all NCHR activities, investigations, reports, and correspondence.

- Create and manage an organized archive system to safeguard institutional memory.

### **3. Meeting Coordination:**

- Coordinate and manage all meetings of the NCHR, including regular sessions, working group meetings, and special meetings. Ensure that meetings are conducted efficiently and in compliance with established protocols and procedures.

### **4. Communication and Correspondence:**

- Manage official communication and correspondence on behalf of the NCHR. This includes drafting, reviewing, and responding to letters, emails, and other forms of communication.

- Ensure that all internal and external communications align with the NCHR's mission and values.

### **5. Financial Management:**

- Collaborate closely with the Chairperson and relevant stakeholders to manage the financial resources of the NCHR effectively.

- Oversee budgeting, financial reporting, and financial accountability to ensure that funds are used judiciously and in accordance with regulations.

### **6. Human Resources Management:**

- Oversee the management of human resources within the NCHR, including staff recruitment, performance evaluations, and professional development.

- Foster a conducive and inclusive work environment that promotes staff well-being and productivity.

### **7. Legal Compliance:**

- Ensure that all NCHR operations and activities comply with relevant legal and regulatory requirements at the national and international levels.

- Keep abreast of legal developments that may impact the NCHR's work.

### **8. Public Awareness and Outreach:**

- Support efforts to raise public awareness about human rights issues in Pakistan. Coordinate public awareness campaigns, workshops, seminars, and other educational activities to engage with diverse audiences.

- Foster partnerships with civil society organizations, educational institutions, and media outlets to amplify the NCHR's message.

### **9. Resource Mobilization:**

- Identify and explore potential sources of funding and partnerships to enhance the financial sustainability of the NCHR's initiatives and programs.

- Develop and maintain relationships with donors, government agencies, and philanthropic organizations.

### **10. Confidentiality and Data Protection:**

- Establish and enforce strict protocols for the confidentiality and protection of sensitive information and data collected during investigations and inquiries.

- Ensure compliance with data protection and privacy regulations.

### **11. Compliance with International Standards:**

- Ensure that all NCHR activities align with international human rights standards, treaties, and principles.

- Promote the implementation of international human rights norms within the framework of NCHR operations.

### **12. Support to NCHR Members:**

- Provide administrative and logistical support to NCHR members, facilitating their work, including travel arrangements, research support, and communication assistance.
- Foster a collaborative environment that enables members to fulfill their responsibilities effectively.

### **13. Independence and Impartiality:**

- Uphold the principles of independence, impartiality, and integrity in all NCHR activities, ensuring that the commission remains credible, trusted, and free from undue influence.

*The Secretary of the NCHR serves as a linchpin in the commission's organizational structure, overseeing administrative functions, facilitating communication, and ensuring compliance with legal and ethical standards. By fulfilling these roles and responsibilities, the Secretary enables the NCHR to carry out its vital mission of promoting and protecting human rights in Pakistan with efficiency and effectiveness.*



# 22

## Appendix A

---

# CODE OF CONDUCT CHAIRPERSON / MEMBERS



NATIONAL COMMISSION  
FOR HUMAN RIGHTS

# CODE OF CONDUCT

## Chairperson / Members

*National Commission for Human Rights, Pakistan*



*NCHR's vision is to see a progressive Pakistan where human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, NCHR is committed to fulfilling its mandate of promoting the human rights of all citizens.*





# CODE OF CONDUCT

## Chairperson / Members

*National Commission for Human Rights, Pakistan*

CODE OF CONDUCT - CHAIRPERSON & MEMBERS, NCHR





**RABIYA JAVERI AGHA**  
CHAIRPERSON

As the second team of the National Commission for Human rights has finally been appointed the NCHR is now functional once again and committed to work towards human rights protection and realisation throughout the country. NCHR's vision is to see a progressive Pakistan where human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, the Commission is committed to fulfilling its mandate of promoting human rights of all citizens.

The Commission's role and functions are unique: an autonomous and impartial body formed through an Act of Parliament, the NCHR's mandate is in line with Paris Principles, the Constitution of the Islamic Republic of Pakistan, 1973 and has the capacity to advise the Government on Pakistan's commitment to fulfilling its international human rights obligations under the seven core international human rights instruments Pakistan is a signatory to and has ratified: ICCPR,

ICESCR, CRPD, CAT, CEDAW, CRC, and CERD.

NCHR's distinguishing position further allows it to act as a liaison between the Government and civil society organizations. This distinct feature is achieved through NCHR's pivotal role of working with civil society organizations and extensive mandate which allows for it to monitor, observe, directly investigate, raise awareness, inquire into complaints and make recommendations pertaining to human rights issues across Pakistan. The National Commission for Human Rights Act, 2012 specifically allows the Commission multiple powers such as the authority to inquire and investigate into complaints of human rights, submit an application to court to become a party of a case involving human rights, perform jail visits, make recommendations for the amendment or adoption of new laws and make recommendations for the implementation of international human rights instruments.

As the rest of today's world, there are multifaceted human rights issues in Pakistan which arise on a day to day basis. NCHR's role will be central to resolving such issues over the duration of its term through zeal, dedication and integrity.





**MEMBER/COMMISSIONER  
SINDH**  
ANIS HAROON



**MEMBER/COMMISSIONER  
BALOCHISTAN**  
FARKHANDA AURANGZEB



**MEMBER/COMMISSIONER  
KPK**  
TARIQ JAVED



**MEMBER/COMMISSIONER  
PUNJAB**  
NADEEM ASHRAF



**MEMBER/COMMISSIONER  
MINORITY**  
MANZOOR MASIH



## Mission

To monitor, observe, directly investigate, raise awareness, inquire into complaints, and make recommendations pertaining to human rights issues across Pakistan. NCHR is committed to fulfilling its mandate of promoting the human rights of all citizens with a focus on the most vulnerable and marginalised sections of society.

## Vision

To see a progressive Pakistan where the human rights of all genders, faiths, races, and ethnicities are respected and celebrated.

## Commissioner and Member Code of Conduct

This code outlines the standards of conduct for Commissioners members (together 'Members'). The standards of conduct for officers are in a separate 'Employee code of conduct'.

### 1. General principles

- 1.1. Members must always adhere to this code of conduct in the exercise of their functions as part of our organisation.
- 1.2. Members must endorse and agree to abide by the Constitution of the Islamic Republic of Pakistan 1973 and the National Commission for Human Rights Act 2012.
- 1.3. As public servants, Members are expected to demonstrate integrity, honesty, objectivity and impartiality in the work they do.

### 2. Members' collective accountability

- 2.1. Members have collective responsibility for Commission and committee decisions and any public statements arising from these.



Members are expected to publicly support our organization and to remain fully committed to its decisions and the activities arising from them. This includes any activity or opinions expressed publicly, whether verbally or written (including traditional media or electronic and social media).

2.2. The Commission and its committees aim to debate issues based on appropriate, accurate and timely information and advice. They seek to achieve consensus on decisions. When it is not possible to achieve consensus, collective decisions will be based on a majority vote, with the Chairperson of the Board or committees holding a casting vote.

2.3. A Member may request that their dissent, in a decision-making vote, be recorded in the minutes of the relevant meeting. However, minority views will not be made public. The Member concerned is expected to express the majority view externally, or to resign before making their dissent known publicly, respecting the confidentiality of Commission decision-making.

2.4. If a Member resigns by reason of disagreement, they may state the basis for the disagreement but may not publicly repeat the arguments of other Members.

2.5. Members should treat each other and officers with courtesy and respect, in line with the NCHR's values of fairness, dignity and respect.

### **3. External engagement**

3.1. Where Members are invited to speak at external engagements because of their experience and role(s) outside the organisation, they should, before accepting an engagement that may impact on the remit and powers of organisation, inform the Chairperson, who will advise what approach to take and discuss any potential conflicts of interest.

3.2. Members may at times be asked not to accept a public engagement or express a public opinion on a topic that is in the remit of the organisation. To subsequently accept such an invite may cause a conflict of interest and may therefore be perceived as being incompatible with their duties.



3.3. In dealing with situations requiring public comment on matters relating to the organisation's work, Members should:

- a. Inform the Chairperson before providing a comment.*
- b. Be mindful that even public comments made in other capacities can be linked to the organisation and take care that their words or actions do not compromise or conflict with their role as a member of the Commission or relevant committee. The Chairperson is available for advice or guidance on these matters.*
- c. Consider that even social media activity – including likes, retweets and comments – could affect the reputation of the organisation and its ability to carry out its functions effectively.*
- d. Any payments for engagements undertaken while representing the organisation that attract a fee should either not be taken or be paid to the organisation.*

## **4. Parliamentary Committees**

4.1. Members who give evidence to parliamentary committees must notify the Chairperson and be prepared to discuss the oral or written evidence they intend to submit. Members must make it clear to the parliamentary committee the capacity in which they are giving evidence so that, unless they are giving evidence as part of their role for the organisation and with the agreement of the Chairperson, they can record publicly that they are giving evidence in a personal capacity and not on behalf of the organisation.

## **5. Whistleblowing**

5.1. Every effort is made to ensure that all business is conducted to meet the highest standards of integrity, honesty and professionalism. If Members are aware of, or suspect, failures or wrongdoing, they should tell the Chairperson or Commission as appropriate as soon as possible so steps can be taken to safeguard the organisation.



## 6. Engaging with Staff

6.1. If a member of staff directly approaches a Member with a concern or allegation, the Member must not undertake to investigate or deal with the concern or allegation themselves. They must advise the staff member of this and pass on the concern or allegation to the Chairperson and Commission who will ensure that appropriate steps are taken.

6.2. In addition, Members should not commission work from nor engage in extended correspondence or communication with staff members beyond formal committee engagements and development events.

## 7. Declaration and conflicts of interests

7.1. Members must ensure that no conflict arises (or could reasonably be perceived by a fair-minded person to arise) between their public duties and their private or business interests, financial or otherwise.

7.2. In considering whether a conflict of interest exists in relation to a particular decision, the Member should assess whether they, a close family member, a person living in the same household as the Member, or a firm, business or other organisation with which the Member is connected, are likely to be affected more than those generally affected by the decision in question.

7.3. It is the personal responsibility of each Member to decide whether a conflict arises and what action is needed to avoid a conflict, or the perception of a conflict. Their decision should reflect advice from the Chairperson, Commission and relevant staff in the Administration and Legal teams. Their decision must ensure that:

A person in public office must not take any decision in pursuit of a private interest, and must not allow any private interest to influence a public decision. Any relevant private interest must be declared, and if the conflict of interest is too great then the person concerned must either stand aside from the decision in question or dispose of the private interest.



7.4. The danger of a perceived conflict of interest is greater for those in leadership roles. Members, particularly if chairing committees or groups, are subject to public and legal scrutiny. They must consider carefully all non-NCHR activities with a view to how they may potentially create either a perceived or actual conflict of interest.

7.5. Members must:

*a. obtain advice at the earliest opportunity and declare to the Chairperson and Commission any personal or business interests that may, or may be perceived to, conflict with their responsibilities as Members. These interests should be included in a publicly available register of interests, which will be kept up to date by the Administration team*

*b. ensure that they declare any conflicting interest at the outset of Board and committee meetings, with such declarations recorded as appropriate*

*c. if the interest is pecuniary (related to money), the Member must recuse themselves from the discussion or determination of such matters*

*d. if the interest is non-pecuniary, consider whether participation in the discussion or determination of a matter would create either a risk of bias or the perception of bias.*

7.6. If a Member receives a written paper on a matter on which they have a conflict of interest, they must immediately alert the Administration team and say how much of the paper they have read.

7.7. If a Member becomes aware of a conflict during the course of any discussion, whether at meetings or in correspondence, they should disclose their interest immediately and, if appropriate, withdraw from the discussion and any decision relating to the matter.

7.8. The Chairperson or Commission may permit continued participation in certain circumstances. These might include instances when the Member's relationship is so slight or historic that it would be unreasonable to suppose any significant interest, or the decision or





discussion has no foreseeable implications for the Member's interest.

7.9. It is the Member's responsibility to ensure that they are familiar with the rules on handling conflicts of interest, that they comply with these rules and that their declaration of interests is accurate and up to date.

7.10. The Accounting Officer is responsible for ensuring that conflicts of interest are avoided, both in Commission proceedings and their own actions or advice and those of other Members and staff.

## **8. Rules on the acceptance of gifts, hospitality and rewards**

8.1. Members should avoid the suspicion of a conflict of interest and avoid any perception that they have been, or may be, influenced by any gift, hospitality or other consideration to show favour or disfavour to any person or organisation while acting in an official capacity.

8.2. If there is any doubt about the propriety of accepting any gift, reward or benefit, the Chairperson or the Commission should be consulted. They may seek further advice from appropriate staff. They should also be consulted if circumstances surrounding a particular gift or occasion could merit special consideration. Even innocent acceptance of some gifts might, because of their cost or provenance, give the impression that individuals may be open to bias. The donor should then be told that it is not permitted for such gifts to be retained and should be informed of our rules on gifts, hospitality and rewards.

8.3. It is each individual Member's responsibility to ensure that they notify the Governance team as soon as possible if they are offered gifts, hospitality or favour that may be related to their membership of the Commission.

8.4. Such notification should include details of the person(s) or organisation(s) offering the gift, hospitality or favour, the purpose or object of the offer and the reasons why the gift, favour or hospitality was or was not accepted.



8.5. Members do not normally need to notify:

*a. conventional hospitality associated with routine business on our behalf (for example, refreshments provided during a meeting with stakeholders).*

## **9. Gifts from overseas organisations and governments**

9.1. It may be difficult to refuse a gift from an overseas government or organisation without the risk of appearing discourteous. On some occasions it may be necessary to offer a small gift in return. An exchange of gifts of this kind should be initiated only after advice from the Chairperson following consultation with the Commission.

## **10. Expenses**

10.1. Members may seek reimbursement of reasonable expenses solely incurred in exercise of their duties for NCHR, in line with the policy

## **11. Non-compliance: process for investigation**

11.1. If anyone alleges that a Member has failed to comply with this code of conduct, the Chairperson will require details of any alleged contravention in writing to determine whether there is sufficient evidence of a potential breach of the code to warrant investigation.

11.2. If the Chairperson considers that an investigation is necessary they may, in consultation with the Commission, appoint any officer the Chairperson considers appropriate to investigate the matter and prepare a report to determine whether the person concerned has contravened this code of conduct.

11.3. If the report concludes that there has been a failure to comply with this code of conduct, the Chairperson will refer the matter to the Commission for consideration and to decide what further action (if any) should be taken.



## 12. Contact with law enforcement or other agencies

12.1. Members should inform the Chairperson and Commission if they are arrested or become the subject of a criminal investigation, proceeding, charge or conviction.

12.2. Additionally, Members should inform the Chairperson and Commission of any other contact with the police, or other law enforcement agencies or other authorities that may bring the NCHR into disrepute.





# 23

## Appendix A

---

# CODE OF CONDUCT EMPLOYEES



NATIONAL COMMISSION  
FOR HUMAN RIGHTS

# CODE OF CONDUCT

## Employees

*National Commission for Human Rights, Pakistan*



*NCHR's vision is to see a progressive Pakistan where human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, NCHR is committed to fulfilling its mandate of promoting the human rights of all citizens.*



# CODE OF CONDUCT

## Employees

*National Commission for Human Rights, Pakistan*

CODE OF CONDUCT - EMPLOYEES NCHR





**RABIYA JAVERI AGHA**  
CHAIRPERSON

As the second team of the National Commission for Human rights has finally been appointed the NCHR is now functional once again and committed to work towards human rights protection and realisation throughout the country. NCHR's vision is to see a progressive Pakistan where human rights of all faiths, races and ethnicities are respected and celebrated. Through our dedicated team across Pakistan, the Commission is committed to fulfilling its mandate of promoting human rights of all citizens.

The Commission's role and functions are unique: an autonomous and impartial body formed through an Act of Parliament, the NCHR's mandate is in line with Paris Principles, the Constitution of the Islamic Republic of Pakistan, 1973 and has the capacity to advise the Government on Pakistan's commitment to fulfilling its international human rights obligations under the seven core international human rights instruments Pakistan is a signatory to and has ratified: ICCPR,

ICESCR, CRPD, CAT, CEDAW, CRC, and CERD.

NCHR's distinguishing position further allows it to act as a liaison between the Government and civil society organizations. This distinct feature is achieved through NCHR's pivotal role of working with civil society organizations and extensive mandate which allows for it to monitor, observe, directly investigate, raise awareness, inquire into complaints and make recommendations pertaining to human rights issues across Pakistan. The National Commission for Human Rights Act, 2012 specifically allows the Commission multiple powers such as the authority to inquire and investigate into complaints of human rights, submit an application to court to become a party of a case involving human rights, perform jail visits, make recommendations for the amendment or adoption of new laws and make recommendations for the implementation of international human rights instruments.

As the rest of today's world, there are multifaceted human rights issues in Pakistan which arise on a day to day basis. NCHR's role will be central to resolving such issues over the duration of its term through zeal, dedication and integrity.





**MEMBER/COMMISSIONER  
SINDH**  
ANIS HAROON



**MEMBER/COMMISSIONER  
BALOCHISTAN**  
FARKHANDA AURANGZEB



**MEMBER/COMMISSIONER  
KPK**  
TARIQ JAVED



**MEMBER/COMMISSIONER  
PUNJAB**  
NADEEM ASHRAF



**MEMBER/COMMISSIONER  
MINORITY**  
MANZOOR MASIH





## Introduction

The Code of Conduct serves as a guide for employees at National Commission of Human Rights to make ethical decisions in relation to the Commission. It emphasizes the importance of maintaining integrity and upholding the reputation of the Commission. The Code is applicable to all employees in the Commission, and the Chairperson and Members have a responsibility to ensure that their employees understand and comply with it. While the Code can be used to make decisions in a variety of circumstances, personal integrity and honesty are ultimately what defines the character of the NCHR. Every employee plays a crucial role in upholding the Commissions ethical conduct and contributing to its success.

### 1. Administration of The Code of Conduct

The Code of Conduct is a set of rules that all employees at the National Commission of Human Rights (NCHR) must follow. These rules are meant to guide employees to do the right thing in their work and to comply with the law, Commission policies, and procedures. The Code provides general guidance, but employees are also responsible for knowing and following other applicable policies and procedures. The Code includes a section at the end that defines important terms. If an employee needs an exception to the rules, the Chairperson or Members can make that decision. The Code is not an employment contract and does not guarantees continued employment.

### 2. Persons Subject To The Code of Conduct

2.1 The Code of Conduct applies to all employees who work for NCHR. Everyone who works for NCHR is responsible for knowing and following these laws and policies.

### 3. Consequences Of Violating The Code

3.1 Following the Code of Conduct and other policies and procedures is a requirement for working at the NCHR. If an employee breaks any laws that relate to the Commissions, violates the Code, or does not cooperate with internal or external investigations, they may face consequences, such as corrective action or even immediate termination



of employment. The Commission will take all necessary actions to enforce the Code, and if a violation could harm the Commission may seek legal action.

## 4. Obligation To Report Violations

The process for reporting violations may vary depending on the type of violation involved. Code of conduct lays down the mechanism of reporting violation of the code

4.1 For matters involving harassment or discrimination, the officer above should be notified or the complaint may be informed to the internal Harassment Committee which should be notified at both Headquarters and at the Regional Offices. This allows the Commission to take appropriate action to address the situation and prevent further harm.

4.2 For matters involving fraudulent acts, such as embezzlement or personal dishonesty by an employee, the matter should be reported to the Chairperson. This ensures that the matter is handled appropriately and that any necessary legal or regulatory requirements are met.

4.3 If an employee believes that an official at a high level of the is involved in the violation, the employee should report the matter directly to the Chairperson and the Commission. This ensures that the matter is handled with the appropriate level of attention.

4.4 For all other matters, the employee should report the violation to their supervisor. This allows the Commission to investigate and address the matter appropriately.

It is important for employees to report violations promptly and to follow the proper reporting channels outlined in the Code of Conduct. This helps to ensure that the Commission can take appropriate action to address the violation and prevent further harm.

The Commission strictly prohibit retaliation against employees for good faith reporting of any actual or suspected violations of the Code. This policy shall not be used to bring false or frivolous charges against any employees,



vendors, customers etc. Those bringing such charges may be subject to disciplinary action.

## 5. Affirmation

All employee and directors are required to have understood the Code and should ensure that they will comply with it. This affirmation is required of new employees when they are hired. In addition, periodically all employees will be required to re-affirm their understanding of the Code.

## 6. Workplace Conduct And Employment Practices

### Equal Opportunity

6.1 NCHR is dedicated to the principle of equal opportunity for all employees without regard to race, color, religion, age, gender, disability or other matters unrelated to work performance. The Commission is vigorously committed to recruiting, selecting, transferring, appraising, evaluating, training and promoting employees according to competence and capability.

6.2 All employees of NCHR should make every effort to ensure there is no possibility of the appearance of unfairness by avoiding Members of the same family working in a direct supervisory relationship. The same family includes, spouse, parents, siblings of self and parents and siblings of spouse.

### Harassment

6.3 At the NCHR, the Commission strives to provide a safe and respectful workplace for all employees. The Commission does not tolerate any form of harassment based on someone's race, gender, color, religion, age, national origin, political affiliation, disability, medical condition, marital status, or any other protected classification.

Harassment includes any unwelcome or offensive behavior that creates a hostile work environment, such as verbal or physical abuse, jokes, or comments. Harassment can be directed at an individual or a group.



If you experience or witness harassment, you should report it to your supervisor. The Commission will investigate all claims of harassment and take appropriate action to address the situation, which may include disciplinary action up to and including termination of employment.

### Examples of Harassment

Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures,

- Verbal or written conduct containing derogatory jokes or comments,
- Physical conduct such as assault, unwanted touching, or any interference because of gender, race.
- Retaliation for having reported, threatened to report or any information to report harassment.

Any type of harassing conduct is forbidden under this policy when directed at an individual because of his or her race, color, gender, age, religion, ethnic origin, or other matters unrelated to work performance. It is the responsibility of each employee to conduct himself/herself in a professional manner at all times and to refrain from such harassment. Consequently, all conduct of this nature is expressly prohibited, regardless of whether it violates any law.

### Discrimination

6.4 Discrimination based on race, color, religion, age, gender, disability, or sexual preference is strictly prohibited. Direct discrimination occurs when someone is treated less favorably based on a protected characteristic, while indirect discrimination occurs when someone cannot comply with conditions due to a protected characteristic.

Those who engage in discrimination will face disciplinary action, including termination. False or frivolous charges are not allowed and may result in disciplinary action.

Employees who experience harassment or discrimination should report it to their supervisor or HR representative. Investigations will be



conducted promptly and confidentially. Those who initiate or participate in good faith will be protected against retaliation. Those who harass others will face disciplinary action, including termination and monetary charges for damages.

The Commission is committed to providing a safe and respectful workplace for all, and will take swift action to address any incidents of discrimination or harassment.

### **Confidential Information**

6.5 All employees and directors are responsible for the safeguarding of confidential information, whether it is information entrusted to them or information regarding NCHR's businesses and activities, or information about other employees. NCHR deals with important and personal information of complainants and persons seeking redress. Any leakage of information of the Commission's data or work will be dealt with according to disciplinary rules and penalties.

## **7. Information About The Organization, Its Customers, Its Employees, And Others.**

As an employee you may have access to confidential information related to the Commission's business you may not use or disclose this information, directly or indirectly, during or after your employment, unless authorized.

Assume that most information about the Commission and employees is confidential, unless otherwise stated. Treat personal information as confidential. Before sharing confidential information within the Commission, make sure you are permitted to do so.

Do not disclose confidential information to anyone outside the Commission unless authorized and with a confidentiality agreement. If you are authorized to share confidential information, disclose it only on a need-to-know basis and ensure the recipient understands it is confidential and has restrictions on further use.

Comment or provide information related to the Commission's business only if



part of your job function or authorized to do so. Protect confidential information when communicating electronically.

Consult your supervisor if you have any questions about sharing information.

## **8. Workplace Safety**

It is important for all employees to prioritize workplace safety and adhere to the principles outlined by the Commission. This includes being vigilant about who is allowed on the premises, maintaining a workplace free of violence and promptly reporting any accidents or potential risk areas to the appropriate personnel.

Furthermore, all employees should take the time to become familiar with all safety and emergency plans, which should be readily available at all offices. It is essential to know what to do in the event of a fire, disaster, or emergency situation.

By following these principles and being proactive about workplace safety, employees can help ensure a safe and secure work environment for everyone at the NCHR.

## **9. Telephones, E-Mail, Internet, And Other Electronic Communications Devices**

9.1 It is important for all employees to understand that telephones, electronic mail, fax, photocopier systems, and other electronic communications devices provided by NCHR are the property of the company and should be used primarily for business purposes. While limited incidental personal use is allowed, it should be in line with the Code and all other policies of the organization.

9.2 Employees should be aware of their responsibility to protect confidential information and ensure that it is not shared or transmitted inappropriately. They should also be mindful of what they write in emails, avoiding sending or opening suspicious attachments, and using appropriate language and tone.

By adhering to the policies and guidelines set by NCHR regarding



electronic communication, employees can help protect the confidentiality and security of sensitive information and maintain a professional and productive work environment.

## 10. Post-Employment Responsibilities

It is common for employers to include post-employment obligations as part of the employment contract. In this case, the NCHR requires its employees to return all company assets, maintain the confidentiality of information obtained during their employment, and assist with investigations, litigation, and the protection of intellectual property relating to their employment, if requested.

Returning all company assets means that the employee must give back any property belonging to the NCHR that they may have in their possession, including equipment, documents, and other items. This helps the NCHR to ensure that all its assets are accounted for and not misused after an employee leaves.

Maintaining the confidentiality of information obtained during employment is also important. Employees may have access to sensitive information. The NCHR requires that employees keep this information confidential and not disclose it to third parties, even after their employment with the NCHR terminates.

Assisting with investigations, litigation, and the protection of intellectual property may also be required of employees.

This means that if the NCHR needs the help of former employees in any legal matters related to their employment, they must be available to provide information or testimony if requested. This helps the NCHR to protect its interests and maintain the integrity of its intellectual property.

## 11. Outside Activities & Other Potential Conflicts Of Interest

### Conflicts of Interest

11.1 Employees must be free of conflicting interests that might influence, or be perceived to influence, their decisions when



1. *Employees take actions or have interests that may make it difficult to perform their work on behalf of NCHR objectively and effectively.*

2. *Employees, or a member of their family, receive any improper personal benefits as a result of their position with NCHR.*

The violation of this conflicts of interest policy is a serious matter and may constitute "cause" for removal or termination of an employee. Reports of conflicts based on appearances can undermine public trust in ways that may not be adequately restored even when the mitigating facts of a situation are brought to light. Apparent conflicts, therefore, should be disclosed and evaluated with the same vigor as actual conflicts.

### Outside Business And Activities; Outside Employment

11.2 General Employees outside activities must not reflect adversely on NCHR or give rise to a real or apparent conflict of interest with their duties to the organization. Employees must be alert to potential conflicts of interest and be aware that they may be asked to discontinue any outside activity if a potential conflict arises.

Employees may not, directly or indirectly:

*Accept a business opportunity from someone doing business with NCHR that is made available to them because of their position with the organization.*

### Political Activities

11.3 Volunteering for a Political Campaign If an employee wishes to volunteer for a political campaign, he/she must do so on his/her own time and as an individual, not as a representative of the Commission. He/she may not use any NCHR staff, facilities, equipment, supplies, or mailing lists. His/her activities should not be viewed as connected with his/her position with NCHR.





## Definition

**NCHR:** *National Commission of Human Rights*

**Commission:** *The Chairperson and Board Members/Commissioners*





# 24

Appendix A

---

## **NCHR STANDARD OPERATING PROCEDURE MANUAL**



# NCHR Standard Operating Procedure Manual

*National Commission for Human Rights, Pakistan*

*SOP standard operating procedure manual for NCHR Pakistan will provide guidelines for performing specific tasks and activities. These are used to ensure consistency, efficiency and quality control. The following are covered in this document:*





# NCHR

## Standard Operating Procedure Manual

*National Commission for Human Rights, Pakistan*



## Table of Contents

Determination of Policy and Recommendations, Including Inquiries, Reports and Public Statements.....	1
SUO MOTO Inquiry SOP.....	3
Complaint Handling SOP.....	4
Jail Visit SOP.....	6
Drafting and Finalization of Reports and Quality Assurance SOP.....	8
Internal Electronic Communications SOP.....	9

## Determination of Policy and Recommendations, Including Inquiries, Reports and Public Statements

- 1. The Commission shall determine its policy and recommendations based on its findings and analysis of human rights issues**
  - Clear policies are essential to manage expectations of the Commission's work and to inform stakeholders and employees of the Commission alike of the internal workings of the Commission's work. It is important that these policies, as well as recommendations, are determined based on the Commission's own investigations and findings regarding human rights so that all policies and recommendations are relevant and accurate.
  
- 2. The Commission shall develop recommendations that are clear, specific and actionable, aimed at preventing future human rights violations and improving the human rights situation**
  - This is important to ensure that the work of the Commission is effective and impactful. Keeping the aspects of clarity, specificity and actionability in mind in all of the Commission's public work is key to guaranteeing successful implementation of the Commission's work.
  
- 3. The Commission shall prioritise its recommendation based on their urgency and impact**
  - It is important that work is prioritised effectively to ensure that issues dealt with by the Commission are addressed in such a way that has the greatest positive effect on the human rights environment of Pakistan. This may include taking into account time sensitivity, public attention and actionability.
  -
  
- 4. The Commission shall issue inquiries, reports and public statements to disseminate its findings and recommendations**
  - Transparency is important in the Commission's work, and the dissemination of inquiries, reports and public statements is key in ensuring this openness. This also adds accountability to the stakeholders that may be focused upon by the Commission's work. Policy recommendations may also be placed on the Commission website.
  
- 5. The Commission shall use plain language and clear communication techniques when issuing inquiries, reports and public statements to the media and the public**
  - Clarity is paramount in the Commission's work, especially when this includes published documents such as inquiries, reports and public statements. This ensures that the Commission's activities are easily understood and cannot be misconstrued, as this would limit the Commission's effectiveness. Usage of plain language also ensures that the Commission's work is accessible to all those who read it, further augmenting its impact.
  
- 6. The Commission shall engage with the media to ensure that its inquiries, reports and public statements are accurately and fairly reported**
  - Engagement with the media is important to ensure that the Commission's vision and aims are effectively communicated to the public and to stakeholders. Without such engagement, the

Commission risks having its work being misunderstood or even unfairly reported, which heavily undermines the Commission's efforts.

**7. The Commission shall monitor the implementation of its recommendations and follow up with the relevant authorities to ensure their effective implementation**

- This is important to ensure that the Commission's work has impact and is recognised by stakeholders. Without monitoring implementations or following up the Commission's efforts, work done by the Commission may be jeopardised or not fully implemented as intended.

**8. The Commission shall maintain transparency and accountability by reporting publicly on the progress made in implementing its recommendation**

- Making sure that public reporting on the Commission's work is accurate and up to date is important to inform the public's expectations and to ensure that the Commission can be held accountable for its work. This increases public trust in the Commission and allows its work to be even more effective.

**9. The Commission shall ensure that public statements, including those to the media, undergo an approval process before release**

- This ensures that the true intent of the Commission is put across to all stakeholders and the public, and protects against the miscomprehension of the Commissions work where possible. Such public statements include those produced by both the Commission itself and its members.

## SUO MOTO Inquiry SOP

- 1. The Commission shall initiate a suo moto inquiry when it has reasonable grounds to believe that there has been a violation of human rights**
  - A suo moto inquiry is initiated by the Commission on its own accord without a formal complaint from an individual or group. It is based on the Commission's own knowledge or information, and it may be initiated when the Commission has reasonable grounds to believe that a human rights violation has occurred.
  
- 2. The Commission shall inform the relevant authorities of the inquiry in advance**
  - The relevant authorities must be informed of the inquiry and a report may be solicited in advance to ensure cooperation and transparency during the inquiry. This also allows the authorities to respond to the inquiry's findings and recommendations.
  
- 3. The Commission shall collect all necessary evidence, including witness statements and documents**
  - The Commission must collect all the necessary evidence to support its findings and recommendations. This may include gathering witness statements, documents and other evidence related to the alleged human rights violation.
  
- 4. The Commission shall provide the relevant authorities with an opportunity to respond to the inquiry's findings**
  - The relevant authorities must be given an opportunity to respond to the inquiry's findings and recommendations. This allows them to provide their perspective and to address any concerns raised by the Commission.
  
- 5. The Commission shall maintain confidentiality and protect the parties involved from retaliation**
  - The Commission must maintain the confidentiality of the parties involved in the inquiry and protect them from any retaliation. This is important to ensure the safety and security of the parties involved, especially in cases where they may face harm or danger.
  
- 6. The Commission shall provide recommendations to the relevant authorities on how to address the violations of human rights**
  - The Commission must provide recommendations to the relevant authorities on how to address the human rights violations identified in the inquiry. These recommendations may include policy changes, legal reforms or other measures that can help prevent similar human rights violations in the future.



## Complaint Handling SOP

### 1. Complaint received

- Complaint is received either through post, online via the website or in person.

### 2. Acknowledgement of receipt

- The Complaint Office will send a written acknowledgement of the complaint within three working days of receiving it. The step is important to let the complainant know that their complaint has been received and is being taken seriously.

### 3. Classification, registration and documentation

- The Complaint Office will categorize the complaint according to the type of issue raised and will register the complaint. The complaint will also be documented with all relevant details and supporting information.

### 4. Assess ambit

- The Complaint Office will assess whether the complaint falls within its ambit.

### 5. Inform complainant (if complaint is not within Commission's ambit)

- If the complaint does not fall within the Commission's ambit, the complaint will either be returned to the complainant or forwarded to the appropriate body. The complainant will be informed in writing within \_\_\_\_ working days of the assessment decision. This step is important to manage expectations and ensure that the complainant is aware of the Commission's limitations.

### 6. Issue notice to respondents for report (if complaint is within Commission's ambit)

- If the complaint falls within the Commission's ambit, a notice will be issued to the relevant respondent for a report regarding the complaint. In this notice, a specific time frame will be allocated for the respondent to complete the report in. If the report is not completed within the time limit, a first and then second reminder will be sent to the respondent at pre-allocated times.

### 7. Contempt proceedings upon not receiving reports

- If the respondent fails to produce the report within the allocated time frame, contempt proceedings will be started against the respondent.

### 8. Maintain communication

- The Commission will maintain regular communication with the complainant and will provide updates on the progress of the investigation. This step is important to keep the complainant informed and manage their expectations.

### 9. Reviewing reports

- Once received from the respondent, reports are reviewed by the Commission. This will involve following established procedures and protocols to ensure that the report and investigation as a whole are fair and objective.

#### **10. Rejoinder issued to complainant**

- Once the report has been reviewed and accepted by the Commission, the report and recommendations will be sent to the complainant. This step is important to provide closure to the complainant and to outline any actions that will be taken as a result of the investigation.

#### **11. Matter disposed of (if complainant does not issue a further rejoinder/sends a letter of thanks)**

- Once a letter is received from the complainant stating their contentment, the matter may be disposed of by the Commission. If no further rejoinder relating to the investigation is received from the complainant within \_\_\_, the matter may also be disposed of.

#### **12. Further rejoinder received from complainant**

- If the complainant is not satisfied by the report, they may send a further rejoinder stating their dissatisfaction to the Commission. In this case, preparation for a preliminary hearing regarding the complaint may be started.

#### **13. Preliminary/final hearings**

- Preliminary hearings may be held to further investigate the complaint when the complainant is dissatisfied with the produced report. After preliminary and final hearings are held, the case may be disposed of by the Commission.

#### **14. Maintain confidentiality and protect from retaliation**

- The Commission will maintain confidentiality throughout the investigation and will protect the complainant from retaliation. This step is important to ensure that the complainant feels safe and secure throughout the complaint handling process.

## Jail Visit SOP

- 1. The Commission shall develop a checklist of areas to be inspected and risks to be assessed during the visit**
  - The checklist is developed to ensure that all the necessary areas are covered during the inspection. It includes things such as the condition of cells, the quality of food and water, the medical facilities available to detainees, the state of sanitation facilities etc. It also includes an assessment of the risks involved in conducting the inspection.
  
- 2. The Commission shall develop a questionnaire to be completed by the relevant jail authorities**
  - The questionnaire is developed to record factual information about the jail. This includes things such as the number of detainees, the jail's capacity, the percentage of prisoners on remand, the total number of staff at the jail, their roles and the number in each role, the number of employment vacancies, duty hours etc. This questionnaire should focus on objective statistics that can be double checked by the Commission.
  
- 3. The Commission shall inform the relevant authorities of the visit in advance**
  - It is important to inform the relevant authorities in advance of the visit, to ensure that they are aware of the inspection and can make the necessary arrangements. This also helps to ensure that the inspection is conducted smoothly and without the unnecessary delays.
  
- 4. The Commission shall document the visit and take photographs, videos and audio recordings where appropriate**
  - Documentation is important as it provides evidence of the conditions that were present during the inspection. Photographs, videos and audio recordings help to provide a detailed record of the inspection and can be used as evidence if needed.
  
- 5. The Commission shall ensure the safety and security of its members and staff during the visit**
  - Ensuring the safety of and security of the members and staff of the commission is of utmost importance during the inspection visit. This includes providing them with adequate security and ensuring that they are protected from any harm that may come their way.
  
- 6. The Commission shall interview detainees, staff and other relevant parties**
  - Interviewing detainees, staff, and other relevant parties helps to gather important information about the conditions and treatment of detainees. It also helps to ensure that all parties involved in the detention are given a chance to provide their views.

**7. The Commission shall respect the confidentiality and privacy of detainees and other parties**

- Maintaining the confidentiality and privacy of detainees and other parties involved is important to ensure that their rights are protected.

**8. The Commission shall assess the conditions of detention, including food, water, health, hygiene and sanitation**

- Assessing the conditions of detention is important to ensure that the detainees are being provided with the necessary facilities and care. This includes the quality of food and water, the state of medical facilities and the condition of sanitation facilities.

**9. The Commission shall assess the treatment of detainees, including torture, inhumane or degrading treatment or punishment**

- Assessing the treatment of detainees is important to ensure that they are being treated humanely and that their rights are being protected. This includes assessing whether any form of torture or inhuman treatment is being used.

**10. The Commission shall produce a report and provide recommendations to the relevant authorities on how to improve the conditions and treatment of detainees**

- Providing a report and recommendations to the relevant authorities helps to ensure that the conditions and treatment of detainees are improved. The recommendations may include things like improving the quality of food and water, providing better medical facilities or addressing any issues related to the treatment of detainees.

**11. The Commission shall develop guidelines for the protection of victims and witnesses**

- Developing guidelines for the protection of victims and witnesses helps to ensure that their rights are protected and that they are not subjected to any form of retaliation. This includes ensuring that they are provided with adequate protection and support.

## Drafting and Finalization of Reports and Quality Assurance SOP

- 1. The Commission shall assign a team to draft the report**
  - This team will include an editor, proofreader and fact-checker. Additionally, when required, a translator will also be assigned. This is important to ensure that reports are cohesive and accessible.
  
- 2. The Commission shall follow a standardised format for the report**
  - This format shall include things such as an executive summary, an introduction, a methodology, a findings section, a conclusion and recommendations. Standardisation is important to ensure that reports can be easily compared with one another, can be understood by all stakeholders and will be created in a punctual timeframe.
  
- 3. The Commission shall ensure that the report is accurate, objective and impartial**
  - This is important to ensure that the recommendations of the report are well received by all stakeholders and is not heavily influenced by subjectivity and politics. This also ensures that the Commission's reports are respected as impartial and unbiased, allowing their application to be more effective.
  
- 4. The Commission shall obtain feedback for the report from stakeholders**
  - Stakeholders to obtain feedback from include victims, CSOs and the relevant authorities. This is essential to ensure that the work done by the Commission is effectively implemented. Feedback must be taken into account for future report creation to ensure that the process is optimised.
  
- 5. The Commission shall finalise the report and submit it to the relevant authorities**
  - Once the report has been completed and quality has been assured, the report shall be sent to the relevant authorities or stakeholders. It may also be uploaded onto the NCHR website. This ensures the effective implementation of the report and its recommendations.

## Internal Electronic Communications SOP

### **1. The Commission shall ensure that email and messaging services are appropriately used**

- Staff members will avoid using personal email accounts for official business, and must not share passwords or leave email or messaging accounts logged in when not in use. Be cautious when opening attachments or clicking links in emails; always verify the source. These procedures are important to ensure the safety of secure information and official communications.

### **2. The Commission shall ensure that emails are encrypted when necessary**

- Commission-approved encryption is necessary to ensure the safety of internal email communications, especially when these communications include sensitive information.

### **3. The Commission shall ensure that access to internal communications is controlled**

- It is important to control the dissemination of internal communications to regulate the spread of sensitive information. Email access should be granted only on a need-to-know basis. Once employees or contractors are terminated, it is essential that email access is immediately revoked. Users must be encouraged to use strong, unique passwords and, if possible, to use multi-factor authentication.

### **4. The Commission shall use secure messaging platforms safely and effectively**

- Use secure, institution-approved messaging platforms for sensitive or confidential communications. It is essential that these platforms are updated regularly to the latest version. This is important to ensure the security of internal communications whilst allowing them to be accessible to all staff members.

### **5. The Commission shall ensure that all staff members are aware of the risks of phishing**

- It is important that employees are trained to recognise and report phishing attempts. The implementation of email filtering is also worthwhile to reduce the risk of phishing emails. Phishing emails pose a large risk to the security of internal communications, and so awareness of these risks are important.

### **6. The Commission shall ensure that etiquette is used in all internal and official communications**

- Using clear and concise language in emails makes communication efficient and effective. Avoiding the forwarding of chain emails and the sending of excessive non-work related

messages. Additionally, respecting colleagues' working hours and time zones when sending communications ensures that all team members have a healthy work-life balance.

**7. The Commission shall ensure updated document version control with shared documents**

- Using version control, clearly labelling document versions and tracking changes whilst collaborating is important to keep team cohesion when working on large and complex projects.

**8. The Commission shall ensure that all security incidents are correctly and immediately reported**

- It is imperative for all team members to report any data security incidents, breaches or suspicious activities to the IT department or designated authorities. The creation of an incident response plan and its usage when necessary can effectively limit the negative impact of such incidents.

**9. The Commission shall ensure safe backing up of data is regularly carried out**

- Regularly backing up communication data and other critical information is important to protect the Commission against data breaches and/or losses. Having a robust data recovery process is therefore equally important, and testing these processes regularly must be done to ensure their functionality.

**10. The Commission shall uphold effective and up-to-date social media guidelines**

- It is important for all team members to follow social media guidelines to protect the Commission's optics and to set expectations for the Commission's public work. Sensitive matters must not be discussed on personal social media accounts.

**11. The Commission shall train all team members appropriately regarding the usage of internal electronic communications**

- It is important for the Commission to provide ongoing training to team members on secure electronic communications to ensure that all information disseminated throughout the Commission is up-to-date with evolving technology. For example, conducting periodic security awareness campaigns can be effective at increasing understanding in the workplace.

**12. The Commission shall ensure that all internal electronic communications comply with laws and regulations**

- It is important to ensure that all electronic communications comply with all relevant laws, regulations and policies. If necessary, it may be useful to consult legal counsel.



## Appendix A

---

# **NCHR SERVICE RULES / RECRUITMENT POLICIES**



**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF HUMAN RIGHTS**  
**NATIONAL COMMISSION FOR HUMAN RIGHTS**  
\*\*\*\*\*

Islamabad, the      September, 2023

**NOTIFICATION**

S.R.O.                      . In exercise of powers conferred by the Section 33 of the National Commission for Human Rights Act 2012 (XVI of 2012), the Federal Government in consultation with the Commission is pleased to make the following rules, namely: National Commission for Human Rights Employees Recruitment and Conditions of Service Rules, 2023:

**CHAPTER - I**

1.      **Short title and commencement** - These rules shall be called the National Commission for Human Rights Employees (Recruitment and Conditions of Service) Rules, 2023.

(2)      They shall come into force at once.  
(3)      Unless specifically provided, these rules apply to all employees appointed on regular basis by the Commission, except a person;

- (a) employed on contract or
- (b) on deputation to the Commission and
- (c) employed on work-charge basis, daily wages or who is paid from contingencies.

**CHAPTER - II**

2.      **Definitions** - (1) In these rules, unless there is anything repugnant in the subject or context:

- (a) “**Act**” means the National Commission For Human Rights Act, 2012 (XVI of 2012);
- (b) “**Authority**” means Chairperson;
- (c) “**Appointing Authority**” means the Appointing Authority specified in Rule 6,
- (d) “**Authorized Officer**” means an officer authorized under Rule-51;

- (e) **“Departmental Selection or Promotion Committee”** means a Committee constituted for the purpose of making selection for initial appointment, promotion or transfer to posts in BS-16 and below in the Commission consisting of such members as may be determined by the Commission.
- (f) **“Employee”** means an employee of the Commission;
- (g) **“Government”** means the Federal Government of Pakistan;
- (h) **“Honorarium”** means a recurring or non-recurring payment granted to an employee from the Commission Account as remuneration for special work of an occasional or intermittent character.
- (i) **“Initial Appointment”** means appointment made otherwise than by promotion or transfer;
- (j) **“Permanent Employee”** means appointment of a duly qualified person on regular basis;
- (k) **“Permanent Post”** means a post sanctioned without limit of time;
- (l) **“Pay”** means the amount drawn monthly by an Employee as pay sanctioned for the post held by him which may includes any other emoluments specifically declared or classed as pay by the Government in consultation with Finance Division from time to time.
- (m) **“Schedule”** means the schedules to these rules.
- (n) **“Selection or Promotion Committee”** means a Committee constituted in accordance with the policy of the Federal Government for the purpose of making selection for initial appointment promotion and transfers to posts in BS-17 and above in the Commission consisting of such number or persons as may be decided by the Federal Government
- (o) **“Temporary Post”** means a post other than a permanent post; and

(2) All other words and expressions used but not defined in these rules, shall unless the context otherwise requires, have the same meanings as are assigned to them in the Act.

**3. Secretariat of the Commission** - (1) Secretariat of the Commission shall be composed of employees of the Commission as specified in the **Schedule-I**

(2) The qualifications, experience and age of the Staff shall be such as are specified in the **Schedule-I-IV**.

(3) When a post is created permanently or is abolished, consequential amendments shall be made in the relevant rules.

### CHAPTER - III

**4. Methods of recruitment** - Appointment to the posts shall be made in accordance with the method of appointment as specified in the Federal Government Rules, by:

- (a) promotion;
- (b) transfer; or
- (c) initial appointment

(2) The posts shall be filled in accordance with the method of appointment specified herein for the post concerned.

(3) Initial appointment to a post shall be made after the vacancy is duly advertised through electronic and print media including its uploading on official website of the Commission duly observing quotas as prescribed by the Federal Government.

(4) The Commission may however, grant up to six advance increments on appointment to deserving candidates possessing specific and higher qualification and relevant experience then required, under these rules for the post.

(5) The Advertisement shall indicate the job description and specification of the said post.

(6) Applicants shall be short listed by an in house recruitment committee of the Commission.

(7) Selection Committee may recommend a panel of at least three candidates against each vacancy in order of merit to the Appointing Authority.

(8) Final approval for appointment shall be accorded by the respective Appointing Authority on the recommendations of relevant Selection or Promotion Committee.

**5. Method of Appointment (Promotion and direct recruitment)** - The posts of Naib Qasid (BS-1), Driver (BS-4), LDCs (BS-11), UDCs (BS-13), Stenotypist (BS-14), Assistant (BS-15), Assistant Private Secretary (BS-16) and Private Secretary (BS-17) shall be filled and governed under the Unified Recruitment Rules of the post concerned notified by the Government. The post of Chowkidar and Sweeper (BS-1) may also be filled in accordance with the policy and relevant recruitment rules of the post concerned.

## PART - I

**6. Appointing Authority.** - The authorities competent to make appointment to the various posts shall be as follows:

Sr. No.	Posts	Appointing Authority
1.	Posts in BPS 21	Prime Minister
2.	Posts in BPS 20	Minister Incharge
3.	Posts in BPS 17 to BPS-19	Chairperson
4.	Posts in BPS 11 to BPS 16	Secretary, NCHR
5.	Posts in BPS-1 to BPS-10	Director General, NCHR

**7. Selection and Promotion Committee/Boards** There shall be constituted 06 selection committees/boards as follows for the purpose of making recommendations for appointment/promotion to various posts in the Commission namely:-

**(i) Selection/Promotion Committee/Board-I-** consisting of Chairperson, NCHR, as Chairman, a representative from Establishment Division and Law & Justice not below the rank of BS-21 for initial appointment or promotion to post in BPS 21. Director General (BS-20), NCHR shall be the Secretary/Member of the Committee.

**(ii) Selection Committee/Board-II-** consisting of the Chairperson, NCHR as Chairman, a representative from Establishment Division and Law & Justice not below the rank of BS-21 for initial appointment or promotion to post in BPS 21 for the selection of persons for initial appointment or promotion to posts in BPS-20. Director General (BS-20), NCHR shall be the Secretary/Member of the Committee.

**(iii) Selection Committee/Board-III-** headed by the Secretary, NCHR as Chairman, a representative from Establishment Division and Law & Justice not below the rank of BS-20 for initial appointment or promotion to post in BPS 19. Director Admin (BS-19), NCHR shall be the Secretary/Member of the Committee.

**(iv) Selection Committee-IV-** headed by the Secretary, NCHR as Chairman, and Director General (BS-20), NCHR and Director (Admin), BS-19 as Member/Secretary for initial appointment or promotion to post in BPS 17 to BS-18.

**(v) Selection Committee-V-** headed by the Director General (BS-20), NCHR as Chairman, Director Admin (BS-19) and Deputy Director (Admin), BS-18 as Member/Secretary for initial appointment or promotion to posts in BPS 11 to BS-16.

**(vi) Selection Committee-VI-** headed by the Director (Admin), BS-19 as Chairman, Deputy Director (F&A), BS-18 and Assistant Director (BS-17) as Member/Secretary for initial appointment or promotion to posts in BPS 1 to BS-10.

## PART - II

**8. Conditions of Appointment - 1** (a) Each appointment in the Commission shall be subject to the following conditions; namely:

- (b) there is an approved vacancy; and
  - (c) the candidate recommended for appointment fulfills the minimum requirements prescribed for a post with regard to educational qualifications, experience, and age etc.
- (2) The candidate shall produce a medical certificate from Medical Board of the Government,
- (a) Provided that no such certificate shall be required in respect of an employee of the Commission appointed by transfer or deputation or by promotion.
  - (b) The original degrees, certificates and other requisite testimonials shall be got verified by the officer in charge of the Administration Wing after joining of the candidate, from the concerned University, Board or authority

## PART-III

**9. Appointment by Transfer-** Appointment by transfer shall be made by selection from amongst the person holding appointment on a regular basis under the Federal Government in the same basic pay scale in which the post to be filled exists, provided that the person concerned possesses the qualification and experience prescribed for initial appointment to the post concerned. Provided that;

- i. if no suitable person is available / eligible for promotion to the post of superintendent and private Secretary, the post shall be filled by transfer.
- ii. failing initial appointment, the post of assistant private secretary shall be filled-in by transfer.

## PART-IV

**10. Appointment on contract. -** Appointment on contract shall be made according to Federal Government Policy/Rules.

## PART-V

**11. Probation -** (1) Persons appointed by initial appointment, promotion or transfer shall be on probation for a period of one year.

(2) The period of probation may be curtailed for good and sufficient reasons, to be recorded in writing or, if considered necessary, it may be extended for a period not exceeding one year as may be specified at the time of appointment.

(3) On the successful completion of probation period, the Appointing Authority shall, by specific order, terminate the probation.

- (4) Provided that, in the absence of an order under sub-rule (3), the period of probation shall, on the expiry of the extended period under sub-rule (2), be deemed to have successfully been completed.

#### **PART-VI**

**12. Promotion** - The Employee of the Commission possessing such minimum qualification and length of service as may be prescribed shall be eligible for promotion to a higher post for the time being reserved under the rules for departmental promotion.

#### **PART-VII**

**13. Seniority** – For the purpose of seniority, the employees shall be governed under the provisions of Civil Servants (Seniority) Rules, 1993.

#### **PART-VIII**

**14. Confirmation-** For the purpose of Confirmation, the Civil Servants (Confirmation) Rules, 1993 shall be followed.

#### **CHAPTER-IV**

**15. Salary on commencement of service** – (1) The pay and allowances of an employee shall be payable to him, from the date, he reports for duty, subject to medically fitness and fulfillment of other prescribed conditions.

(2) The employees of the Commission shall be entitled to receive such pay and allowances sanctioned by the Federal Government for the officers or officials of the corresponding scale under the Government. Increase made by the Government in case of its employees shall automatically be applicable on the employees of the Commission.

(3) The employees of the Commission shall also be entitled to receive the following allowances namely:

- (a) **Deputation Allowance** - The employees appointed in the Commission on deputation basis will be entitled to deputation allowance @ 20% of their running Basic Pay as admissible to the employees of Federal Government. However, this amount shall not exceed the maximum limit as fixed by the Federal Government.
- (b) **Travelling Allowance** - TA/DA ceiling fixed for corresponding officers or officials of the Federal Government shall be followed in true spirit.
- (c) **Contributory Provident Fund.** - Every employee shall be required to subscribe such amount from his salary to the contributory provident fund maintained by the Commission and shall be entitled to such benefits therefrom as per Contributory Provident Fund Rules of the Commission.

- (d) **House Rental Ceiling** - Instead of paying Rental Ceiling to the owner of the hired house, the amount admissible to employees in the shape of their Rental Ceiling shall be paid to them with their monthly pay. However, those deputationists who are in possession of Government accommodation shall not be paid such amount and 5% deduction from their monthly pay shall also be made for depositing the same in Federal Treasury Office.
- (e) **Medical Facilities** - Separate Medical Attendance Rules in respect of NCHR Employees shall be framed and got approved from Chairperson and the Board in consultation with Ministry of National Health Services Regulation and Coordination and Finance Division and till the time such rules are made, the rules applicable to the employees of Federal Government shall apply.

**16. Additional Charge Appointments** - (1) Where a post is vacant or becomes vacant and it is not possible to fill the post immediately, additional charge of that post may be given to an officer in addition to his own duties by the authority competent to make appointment to that post.

(2) Additional Charge appointments shall not ordinarily be made for a period of less than one month and more than three months extensible for a period of another three months.

(3) An employee shall cease to hold the additional charge of a post upon availability of the person appointed to the post on recommendations of the Recruitment/Promotion Committee.

**17. Acting Charge Appointments** - (1) Grant of acting charge appointment shall be governed in accordance with the existing policy of the Federal Government.

**18. Current Charge-** Grant of current charge appointment shall be governed in accordance with the existing policy of the Federal Government.

**19. Special Initiative to the Employees.** Being public servant the employees of the Commission shall be entitled to pay Rs. 50,000/- per month in addition to their pay & allowances to the employees of BPS-17 and above and Rs. 30,000/- to the employees of BS-1 to 16 per month.

**20. General Principles of Leave** – (1) Leave shall not be claimed as a matter of right. Grant of leave shall be subject to the exigencies of service. The competent authority may refuse leave or cancel the leave already granted and recall the employee for duty. No leave shall be deemed to have been granted unless it is sanctioned by the competent authority. The leave shall be applied in advance. Sundays and holidays may be suffixed or prefixed to any kind of leave. An employee shall cease to earn any leave from the date of notice of the termination of services given from either side.

**21. Casual leave** – (1) Casual Leave may be allowed to an employee up to a maximum of twenty days in a calendar year. Casual Leave is granted for unforeseen circumstances. Casual Leave will be admissible only in proportion of the period of service in a year. The competent

authority may allow casual leave up to the half of the maximum admissible leave at a stretch and only in special cases. Un-availed Casual Leave shall lapse automatically at the end of every calendar year. Casual Leave shall not be combined with any other leave.

**22. Earned leave** - (1) A confirmed employee shall be entitled to earned leave. Earned leave shall be available to an employee at the rate of four (4) days for every calendar month of the period of duty rendered and credited to his account as leave on full pay. Duty period of fifteen (15) days or less in a calendar month shall not be considered for grant of leave, whereas, more than fifteen days shall be treated as full calendar month for the purpose.

(2) The maximum period of leave on full pay that may be granted at one time shall be as follows:

- a) Without medical certificate 120 days
- b) With medical certificate 180 days plus
- c) On medical certificate from leave account in entire service, 365 days.

(3) Application for Earned Leave shall be made by an employee to the respective Head of the Department through his immediate officer, at least 15 days before the employee desires to proceed on leave. However, the period of fifteen (15) days may be waived in emergent cases solely at the discretion of the competent authority.

(4) Earned Leave may be accumulated up to a maximum of 365 days

(5) Encashment of accumulated earned leave shall be allowed in case of death or retirement

(6) Provided LPR applied for prior to retirement is refused in writing, due to exigencies of work.

**23. Maternity Leave** - (1) The Maternity leave shall be governed under the Maternity and Paternity Leave Act, 2023 (XXXI of 2023).

**24. Paternity Leave** - (1) The Paternity leave shall be governed under the Maternity and Paternity Leave Act, 2023 (XXXI of 2023).

**25. Study Leave** - (1) Study leave shall normally be granted to an employee in regular service for a period not exceeding two years. The period exceeding earned leave due will be without pay. Study leave shall be granted to an employee provided he is willing to furnish an undertaking (surety bond) that on completion of his studies, he would serve the Commission for a period twice the period of study leave.

**26. Ex-Pakistan Leave** – (1) Ex-Pakistan Leave on full pay in all cases (1) may be granted by the competent authority. Leave salary shall be drawn in Pak Rupees in Pakistan irrespective of the country where leave is spent. Ex-Pakistan Leave shall be regulated and be subject to the same limits and conditions as prescribed in these rules.

**27. Leave without Pay (EOL)** - (1) Extra Ordinary Leave without pay shall be granted on any ground up to a maximum period of five (05) years at a time, provided that the employee to whom such leave is granted has been in continuous service for a period of not less than ten (10) years, and in case a NCHR employee has not completed ten (10) years of continuous service, EOL without pay for a maximum period of two (02) years may be granted at the discretion of the



competent authority. Provided that the maximum period of five (05) years shall be reduced by the period of leave on full pay or half pay, if granted in combination with EOL.

(2) Extra Ordinary Leave up to a maximum period prescribed under sub-rule (1) shall be granted, subject to the conditions stated therein, irrespective of the fact whether an employee is permanent or temporary.

3 Extra Ordinary Leave shall be granted retrospectively in lieu of absence without leave.

**28. Special (Iddat) leave** – (1) A female employee, on the death of her husband, may be granted Special (*iddat*) Leave on full pay, for a period not exceeding one hundred and thirty days. Such leave shall commence from the date of death of her husband. For this purpose she shall have to produce death certificate issued by the competent authority either alongwith her application of Special (*iddat*) Leave or, if that is not possible, certificate may be furnished to the leave sanctioning authority as soon as possible. Special (*iddat*) Leave shall not be debited to her leave account.

**29. Quarantine leave** – An employee may be granted Quarantine Leave outside his leave account to the extent the competent medical Board recommends and the period of such leave shall be treated as duty with full pay and allowances of the post held by him/her at the time of proceeding on leave.

**30. Admissibility of leave** – No leave shall be granted unless it is admissible.

**31. Recall from Leave** – If an employee is recalled to duty compulsorily, with the prior approval of the leave sanctioning authority, from leave of any kind in Pakistan, that he/she is spending away from his/her place of duty, he/she may be granted a single return fare plus daily allowance as admissible on tour from the station where he is spending the leave to the place where he is required to report for duty.

**32. Joining of duty before expiry of Leave** – An employee on leave may not return to duty before expiry of the period of leave granted to him, unless permitted to do so by the authority which sanctioned his leave.

**33. Leave Account** – Leave account in respect of all the employees shall be maintained by the Administration Department in the prescribed form, as part of service record.

**34. Leave Salary** – Leave salary admissible to an employee during leave on full pay shall be at the rate equal to the rate of pay drawn on the day immediately before the beginning of the leave.

**35. Leave will be admissible during the suspension** – Leave shall be granted to an officer/official during the period of suspension, with the concurrence of Enquiry Officer.

## CHAPTER - V

**36. Retirement** - An employee appointed on regular basis shall retire from the service of the Commission in the afternoon of the day on which he attains the age of superannuation i.e. the age of sixty years.

**37. Retirement benefits** – On retirement, a regular employee shall be entitled to draw twelve months gross salary at the rate of last pay drawn.

**38. In Service death** – In case of death of a regular employee of the Commission during service, the family of such employee shall be entitled for the Prime Minister’s Assistance Package for families of Federal Government Employees.

**39. Resignation from Service** - An Employee who wishes to resign shall submit his resignation in writing. The resignation shall not become effective unless it is accepted to the competent authority. Till such time the resignation is accepted the employee concerned shall continue to be in service and shall not absent himself from duties without proper leave.

**40. Resignation during the pendency of disciplinary proceedings** - Resignation of the Employee against whom disciplinary action is pending shall not be accepted till conclusion of the proceedings and finality of orders there upon.

**41. Withdrawal of Resignation** - In case an Employee withdraws resignation before it is accepted by the competent authority, the same shall be deemed to have been withdrawn.

(2) If an employee intends to withdraw his resignation after the same is accepted but before the aforesaid employee is relieved then such withdrawal is subject to the decision of the authority who accepted the resignation.

**42. Termination of Service** – 1 (a) The service of an Employee may be terminated without notice;

(b) during the initial or extended period of his probation;

(c) Provided that, where such employee is appointed by promotion on probation or, as the case may be, is transferred from one post to another post, his service shall not be so terminated as long as he holds a lien against his former post but he shall be reverted to his former post

(d) on the expiry of the initial or extended period of his employment; or

(e) in case of *ad hoc* appointment, on the appointment of a person on the recommendation of the Selection Authority.

(2) Where, on the abolition of a post or reduction in the number of posts, the services of an employee are required to be terminated, the person whose services are terminated shall ordinarily be the one who is the most junior in such cadre or service.

(3) Notwithstanding the provisions of sub-rule (1), but subject to the provisions of sub-rule (2), the service of an individual appointed on temporary or *ad hoc* basis shall be liable to termination on fourteen days’ notice or pay in lieu thereof.

**43. Re-employment** –After retirement, an experienced officer may be re-employed on contract basis, initially for a period of one year at a time and his contract may be extended for further period on requirement basis in public interest and due to service exigencies, and in accordance with the prescribed policy of the Government.

**Posting/Transfer.**

**44. Liability to serve in any post.** An employee shall be liable to serve in any post in any cadre under the Commission or in any organization established, controlled or managed by the Commission or by the Federal or Provincial Government.

**45. Transfer from one post to another within the Commission.** The appointing authority may transfer an employee from one post to another within the cadre to which the employee belongs. The Chairman/Chairperson may transfer and post an employee from a post outside the cadre in the interest of the Commission.

**46. Training.** - The Commission may require an employee to undergo such course or training within or outside Pakistan at any time and for any duration. The trainee shall serve the Commission for a period of at least two years after completion of the course or training with duration of more than six months. If the trainee leaves the Commission before the completion of the requisite post-training service, he shall pay such amount out of the total training expenditure which shall be calculated on pro-rata basis, proportionate to his post-training service in the Commission. However, the training within and outside the country shall be in accordance with policy of the Federal Government

**47. Appointment on deputation.-** (1) In case where a person possessing specific skills or expertise is required to assist the Commission in performing its functions and the required services cannot be immediately availed through direct recruitment, such vacant posts in the Commission may be filled by acquiring services of any person from Federal or Provincial Governments, departments, Autonomous and semi-autonomous bodies with the approval of Chairman/Chairperson, on deputation to equivalent post and in exceptional cases one step higher in the service of the Commission, for a period of three years extendable by two years and on such terms and conditions as mutually agreed by the lending authority and the Commission in accordance with the deputation policy prescribed with the approval of Federal Government.

(2) An employee on deputation shall be entitled to pay and allowances of his post in the Commission from the date he assumes charge of his post in addition to deputation allowance in accordance with the prescribed terms and conditions of deputation.

**48. Absorption of deputationists.-** Absorption of deputationist should be in accordance with the provisions of the policy of the Federal Government and against specific quota reserved for appointment by transfer.

**49. Deputation to other organizations.** - The employees of the Commission shall be governed in accordance with the deputation policy of the Federal Government.

## CHAPTER-VI

**50. Misconduct** – For the purpose of conduct and discipline the employees of the Commission shall be governed under the provisions of Government Servants (Conduct) Rules, 1964 and Government Servants (Efficiency and Discipline) Rules, 2020.

**51. Authorized Officer** – For the purpose of conduct and discipline “*authority*” means the Appointing Authority and “*Authorized Officer*” means an officer authorized by the authority to perform functions of an authorized officer under these rules or if no officer is authorized the authority itself.

## CHAPTER-VII

**52. Appeal** – For the purpose of appeals, the employees of the Commission shall be governed under Civil Servants (Appeals) Rules, 1977.

## CHAPTER-VIII

### MISCELLANEOUS

**53. Compulsory Group life insurance.-** All employees shall be entitled to group life insurance against natural death, permanent complete or partial disability or death or injury arising due to an accident and the Commission shall in all cases contribute in payment of fifty percent of the insurance premium to an insurance company whereas the remaining fifty percent shall be borne by the employee and deducted monthly from his salary of the employee for this purpose.

**54. Advances and loans.-** Every employee shall be entitled to such advances and loans as admissible to civil servants of the Federal Government is entitled to under the GOP Rules subject to availability of funds for the purpose with the Commission. This includes house building and motorcar/motorcycle loans.

**55. Honorarium or bonus.** - All employees and members including contract employees for a period of six months or more, may be granted honoraria or bonuses and such allowances on performance basis and as may be prescribed by the Commission from time to time

**56. Performance Appraisal** - (1) Performance of each employee shall be evaluated annually by his immediate controlling officer and countersigned by the next higher officer in such form and manner as prescribed by the Federal Government for civil servant, for the relevant post:

(2) Provided that an employee shall have served continuously at least for a period of ninety days under the controlling officer;

(3) Provided further that where an employee has served for a period of ninety days or more under more than one controlling officer in a year, his performance shall be evaluated by each such controlling officer for the respective period independently and countersigned by the next higher officer.

(4) An employee shall not have access to his Annual Performance Appraisal Report. Adverse remarks, if any, shall be communicated to the employee concerned within thirty days of passing such remarks for remedial measures and improvement.

(5) An employee aggrieved by any adverse remark, communicated to him, may file an appeal, within seven days to the authority.

(6) The Performance Appraisal Report shall have weightage of twenty percent in the promotion criteria.

**57. Nomination of legal heir** – All permanent employees shall be required to nominate his legal heir to receive any payment in case of death or permanent disability of an employee.

**58. Contributory Provident Fund**- Separate Contributory Provident Fund Rules in respect of NCHR employees shall be framed and got approved from Chairperson and Board in consultation with the Finance Division.

**59. Residuary Powers.** Any matters or subject not specifically provided for in these rules and all questions relating to enforcement of these rules shall be regulated in accordance with the relevant rules and regulations of the Federal Government.

**SCHEDULE-I**

**POSTS AND THEIR SANCTIONED STRENGTH**

Sr. No.	Designation of Post	BPS	Sanctioned Strength	Views / Comments of the Establishment Division
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
01.	Secretary	21	01	
02.	Director General	20	01	
03.	Registrar	20	01	
04.	Director	19	05	
05.	Deputy Director	18	10	
06.	System Analyst	18	01	
07.	Assistant Director	17	17	
08.	Public Relation Officer	17	01	
09.	Programmer	17	01	
10.	Private Secretary	17	02	
11.	Assistant Private Secretary	16	15	
12.	Protocol Officer	16	01	
13.	Assistant	15	05	
14.	Stenotypist	14	29	
15.	UDC	13	13	
16.	LDC	11	05	
17.	Driver	04	08	
18.	Dispatch Rider	04	01	
19.	Naib Qasid	01	42	
20.	Farash	01	01	
21.	Chowkidar	01	02	
22.	Sweeper	01	02	
		<b>Total:</b>	<b>164</b>	



GOVERNMENT OF PAKISTAN  
NATIONAL COMMISSION FOR HUMAN RIGHTS  
5<sup>th</sup> Floor Evacuee Trust Complex, F-5/1,  
Agha Khan Road, Islamabad.



No. 1(72)/2020-Admn/NCHR

Dated: 22<sup>nd</sup> December, 2022

**OFFICE ORDER**

Subject: **RECRUITMENT POLICY AND PROCEDURE FOR THE  
NATIONAL COMMISSION FOR HUMAN RIGHTS (NCHR)**

Policy Statement.

The National Commission for Human Rights (NCHR) is committed to maintaining a diverse, inclusive, and equitable workforce that reflects the values of human rights it stands for. The NCHR recognizes the importance of diversity in its team and aims to create an environment that respects and values differences, including those related to religion, gender, ethnicity, and disability. This policy outlines the NCHR's approach to recruitment, ensuring fair, transparent, and unbiased hiring processes while promoting diversity and inclusion.

2. Objectives

The objectives of this recruitment policy are:

- To attract a diverse pool of qualified candidates from various backgrounds, experiences, and perspectives.
- To create an inclusive and equitable recruitment process that values all candidates equally.
- To actively include considerations related to religion, gender, ethnicity, and disability in the hiring process.
- To uphold the principles of equal treatment, nondiscrimination, and diversity in all recruitment activities.

3. Recruitment Procedure

3.1 Job Posting and Advertisement

3.1.1 Job vacancies at the NCHR will be posted on various platforms accessible to a wide range of individuals, including job portals, the NCHR website, and relevant social media platforms.

3.1.2 The job advertisement will include the NCHR's commitment to diversity and inclusion, along with a statement that encourages candidates from diverse backgrounds to apply.

### 3.2 Application and Shortlisting

3.2.1 All applicants will be treated fairly and without bias, irrespective of their religion, gender, ethnicity, or disability.

3.2.2 A diverse panel of hiring managers will review applications to ensure unbiased shortlisting.

3.2.3 Shortlisting criteria will focus on candidates' skills, qualifications, and experience relevant to the position.

### 3.3 Interview Process

3.3.1 Interview panels will include a diverse group of interviewers to minimize bias and ensure balanced evaluations.

3.3.2 Interview questions will be standardized and designed to assess candidates' suitability for the role.

3.3.3 The NCHR will provide reasonable accommodations for candidates with disabilities to ensure equal participation in the interview process.

### 3.4 Diversity and Inclusion Considerations

3.4.1 During the interview process, interviewers will not ask questions related to religion, gender, ethnicity, or disability that are not directly relevant to the job.

3.4.2 Interviewers will focus on assessing candidates' competencies, skills, and qualifications rather than making assumptions based on personal characteristics.

### 3.5 Offer and Onboarding.

3.5.1 The NCHR will offer remuneration packages as per governments pay grade.

3.5.2 New hires will receive orientation and training on the NCHR's commitment to diversity, inclusion, and equal treatment.

## 4. Monitoring and Reporting

4.1 The NCHR will regularly review its recruitment process to identify areas for improvement in diversity and inclusion.

4.2 The NCHR will maintain records of demographic data (optional and self-disclosed) to assess the effectiveness of diversity initiatives and compliance with this policy.

## 5. Compliance and Accountability



5.1 All NCHR staff involved in the recruitment process will adhere to this policy and promote diversity and inclusion.

5.2 Any concerns related to non-compliance with this policy should be reported to the designated authority within the NCHR.

#### 6. Review and Amendment

6.1 This policy will be reviewed periodically to ensure its effectiveness and relevance.

6.2 Amendments to the policy may be made in accordance with the NCHR's internal processes and legal requirements.

By implementing this recruitment policy and procedure, the NCHR aims to create a workforce that upholds the principles of human rights, embraces diversity, and actively promotes inclusion at all levels of the organization.



**(Muhammad Naqshad)**  
**(Assistant Director Admin-I)**

#### Copy to:

1. All the officers/ officials of Head Office NCHR
  2. All regional offices of NCHR, Punjab, Sindh, Balochistan, Kyber Pakhtunkwa
  3. Notice Board of NCHR
- Copy also forwarded to Ms. Syeda Soobia Fatima, Section Officer (Admn).

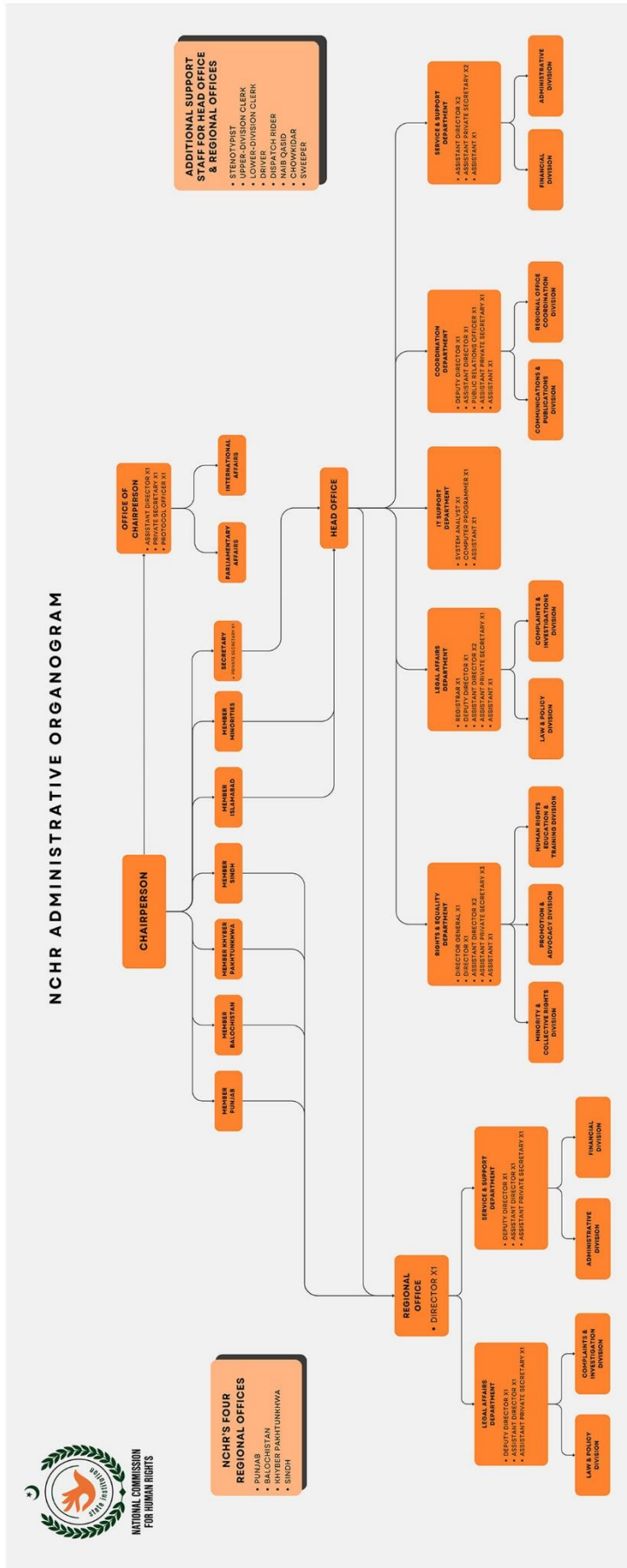


# 26

Appendix A

---

## ORGANOGRAM





# 27

Appendix A


---

## **NCHR BUDGET ALLOCATIONS**

## **National Commission for Human Rights**

**(Budget Allocations of Financial Year 2022-23 and 2023-24)**

<b>Head of Accounts Object heads (s)</b>	<b>Budget Allocation</b>	
	<b>2022-23</b>	<b>2023-2024</b>
A01111 Pay of Officer	28,000,000	40,000,000
A01160 Pay of Staff	4,000,000	14,000,000
A0121X Regular Allowance	17,000,000	30,170,000
A01298 Other Allowance	8,000,000	7,000,000
A03 Operating Expenses	26,180,000	70,000,000
<b>Total</b>	<b>83,180,000</b>	<b>161,170,000</b>

  
**NOOR ELAHI**  
Coordinator (Finance)  
National Commission for Human Rights  
Islamabad



**NATIONAL COMMISSION  
FOR HUMAN RIGHTS**

**National Commission for Human Rights, Pakistan**

051 9216771

5th Floor Evacuee Trust Complex,  
Agha Khan Road, Islamabad

[www.nchr.gov.pk](http://www.nchr.gov.pk)