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Section	ICCPR Recommendation	Concerned ICCPR Article	Ministries/ Departments Concerned	Progress	Further Action Needed	Activities by NHRIs/Independent Bodies	Sources
C (10)	The State party should adopt all legislative, policy and institutional measures necessary to ensure that the National Commission for Human Rights is able to carry out its mandate fully and in an effective and independent manner, and in full conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The State party should strengthen the power of the Commission and ensure that it is able to investigate all allegations of violations of rights recognized in the Covenant committed by any official entity, including those allegedly committed by members of the intelligence agencies or armed forces. The State party should also strengthen its efforts to provide the Commission with sufficient financial and human resources to carry out activities throughout the territory of the State party.	National Human Rights Institution	Ministry of Human Rights	A single-line budget for the National Commission Human Rights (NCHR) has been approved. The Chairperson of NCHR has been designated the Principle Accounts Officer.		NCHR has submitted all required documentation required	
C (12) (a)	The State party should take all necessary measures, including the adoption of comprehensive anti-discrimination legislation, to ensure that its legal framework provides full and effective protection against discrimination in all spheres, including the private sphere, and prohibits direct, indirect and multiple discrimination;	Non-discrimination	Ministry of Human Rights/ The National commission for Minorities	<p><b>Rights of Transgender People</b></p> <ul style="list-style-type: none"> <li>- The Transgender Persons (Protection of Rights) Act, 2018</li> </ul> <p><b>Rights of Disabled Persons</b></p> <ul style="list-style-type: none"> <li>- The Punjab Empowerment of Persons with Disabilities Act, 2022</li> <li>- The Punjab Empowerment of Persons with Different Abilities Act, 2021</li> <li>- The Baluchistan Persons with Disabilities Act, 2017</li> <li>- The Sindh Empowerment of Persons with Disabilities Act, 2018</li> <li>- The ICT Rights of Persons with Disabilities Act, 2020</li> </ul> <p><b>Labour Rights</b></p> <ul style="list-style-type: none"> <li>- KP Provincial Bonded Labour Abolition Act, 2017</li> </ul> <p><b>Rights of Minorities</b></p> <ul style="list-style-type: none"> <li>- The Supreme Court judgement of 19 June 2014 titled, "Justice Helpline &amp; Ors. V Attorney General" orders the federal government to address inequalities faced by religious minorities. It orders for the creation of a National Council for Minorities' Rights to monitor minorities rights and to submit policy recommendations that would help promote those rights.</li> </ul>	<p><b>The National Commission for Minorities (NCM)</b> was notified in 2014 as per the Supreme Court Judgement, "Justice Helpline &amp; Ors. V Attorney General", but has not been functional. The State should ensure that this notified commission is empowered in a timely manner.</p> <p>On May 19th, 2023, The Federal Shariat Court (FSC) declared certain sections of the <b>Transgender Persons (Protection of Rights) Act, 2018</b> against Sharia. The State should challenge this decision to ensure that the rights of Transgender Persons are protected. The State should seize any attempts at amending the Act that would prevent transgender people from acquiring official documents that reflect their gender identity without being subjected to invasive requirements.</p> <p><b>Dr. Shoaib Suddle's One Man Commission:</b> The State should empower this commission and transform it into a statutory body that is equipped to monitor compliance of both the minority quota and hiring policy regarding Non-Muslims by provincial and federal governments.</p>	<p><b>Discrimination in private and public spheres:</b></p> <ul style="list-style-type: none"> <li>- NCHR took notice of discriminatory advertisements that were recruiting religious minorities for sanitation work. In response, the Provincial governments of Punjab, Khyber Pakhtunkhwa and Balochistan have imposed complete ban on the discriminatory advertisements in newspapers seeking 'non-Muslim' employees against the vacancies of sanitary workers, cleaners and sweepers, etc.</li> <li>- NCHR released a fact-finding report regarding exploitative and discriminatory hiring practices regarding non-Muslims</li> <li>- NCHR team inspected multiple hospitals to ensure availability of facilities for Transgender people and compliance with the minority quota.</li> </ul>	<p><a href="https://www.app.com.pk/national/nawitnesses-introduction-of-minority-commission-bill/">https://www.app.com.pk/national/nawitnesses-introduction-of-minority-commission-bill/</a></p> <p><a href="https://na.gov.pk/uploads/documents/1449492702_297.pdf">https://na.gov.pk/uploads/documents/1449492702_297.pdf</a></p> <p><a href="https://www.dawn.com/news/1754516">https://www.dawn.com/news/1754516</a></p>
C (12) (b)	The State party should take all necessary measures, including the adoption of comprehensive anti-discrimination legislation, to ensure that its legal framework Includes a comprehensive list of grounds for discrimination, including colour, language, political or other opinion, national or social origin, property, disability, sexual orientation and gender identity or other status;	Non-discrimination	Ministry of Human Rights	<p><b>The Second Periodic report submitted by Pakistan on 7th December 2022</b> states that "the GoP is in the process of amending the Article 25 of the Constitution, which guarantees the citizens right to equality. The proposed amendment will expand the definition of Equality and Discrimination. It proposes that the State shall not discriminate directly or indirectly against anyone on grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, color, age, disability, religion or language; and promote equality, by taking measures designed to protect those disadvantaged against discrimination and undertake legislation to enforce and ensure equality for all citizens." The State should ensure that this agenda point is pursued.</p>	<p><b>Disaster response:</b> Minority communities must be included and emphasized in disaster relief efforts. Studies reveal that the recent floods in Pakistan disproportionately affected Transgender persons, women and those belonging to religious minority communities.</p> <p><b>The National Policy Guidelines on Vulnerable Groups in Disasters</b> published by the Gender and Child Cell of the National Disaster Management Authority (NDMA) contains no mention of the Transgender community. The NDMA must include the Transgender community in its disaster relief efforts. According to the <b>The National Disaster Management Act, 2010</b>, "while providing compensation and relief to the victims of the disaster, there shall be no discrimination on the grounds of sex, caste, community, descent or religion." Some progress has been made in this regard, and official confirmation is awaited.</p>	<p><b>Property rights:</b> NCHR Team worked with authorities to expedite allotment of land for graveyard for Christian residents of Jinnah Garden Housing Society, Islamabad</p> <p><b>Transgender rights:</b> NCHR conducted a campaign consisting of infographics and testimonies from prominent members of the Transgender society. NCHR reviewed draft of Punjab's Protection of Rights of Transgender Bill.</p>	<p><a href="https://www.app.com.pk/national/nawitnesses-introduction-of-minority-commission-bill/">https://www.app.com.pk/national/nawitnesses-introduction-of-minority-commission-bill/</a></p> <p><a href="https://www.preventionweb.net/news/pakistan-trans-community-battles-climate-catastrophe-and-exclusion">https://www.preventionweb.net/news/pakistan-trans-community-battles-climate-catastrophe-and-exclusion</a></p> <p><a href="https://cms.ndma.gov.pk/storage/app/public/plans/October2020/zus5L4m21KurTMvlyk6Wl.pdf">https://cms.ndma.gov.pk/storage/app/public/plans/October2020/zus5L4m21KurTMvlyk6Wl.pdf</a></p> <p><a href="https://binternet.chr.org/layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FPAK%2F2&amp;Lang=en">https://binternet.chr.org/layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FPAK%2F2&amp;Lang=en</a></p>

C (12) (c)	The State party should take all necessary measures, including the adoption of comprehensive anti-discrimination legislation, to ensure that its legal framework provides for effective remedies in cases of violation. It should also decriminalize same-sex relations between consenting adults.	Non-discrimination	Ministry of Human Rights	<p style="text-align: center;"><b>Complaint Mechanisms</b></p> <p style="text-align: center;">Human Rights Information Resource Portal Complaint Cell at Ministry of Human Rights Complaint Cell at National Commission for Human Rights (NCHR)</p> <p style="text-align: center;"><b>Rehabilitation</b></p> <p>In 2021, the first Transgender Protection Center was inaugurated in Islamabad. The facility will provide legal aid, health and rehabilitation services, and psychological counselling.</p>	<p><b>Rehabilitation:</b> In January 2023, during the hearing of the petitions pertaining to the Transgender Act 2018, a two-member bench led by Acting Chief Justice Dr Syed Muhammad Anwer and including Justice Khadim Hussain M Shaikh, termed the ministry's report about the protection centres "unsatisfactory". The State should ensure that Transgender Protection Centers are established and facilitated in a timely manner.</p> <p><b>Compensation:</b> Despite progressive laws protecting their rights on paper, the Transgender community is overlooked in disaster responses. Lack of registration results in decreased access to welfare.</p>	<p>- Members of the Transgender community visited NCHR Punjab and expressed concern over rising violence against Transgender persons. NCHR notified the Punjab Government, emphasizing the need for protection of this vulnerable group.</p> <p>- From 10th December 2021 to 10th December 2022, the NCHR Minority Office disposed off 1,724 complaints of human rights violations received from members of the minority community.</p>	<p><a href="https://www.dawn.com/news/1651873">https://www.dawn.com/news/1651873</a></p> <p><a href="https://cms.ndma.gov.pk/storage/app/public/plans/October2020/zus5L4m21KurTMvlyk6WI.pdf">https://cms.ndma.gov.pk/storage/app/public/plans/October2020/zus5L4m21KurTMvlyk6WI.pdf</a></p> <p><a href="https://tribune.com.pk/story/2395280/fsc-seeks-report-on-transgender-protection-centres">https://tribune.com.pk/story/2395280/fsc-seeks-report-on-transgender-protection-centres</a></p> <p>NCHR Annual Report</p>
C (14) (a)	The State party should continue its efforts to expedite the adoption of laws relating to violence against women that are under consideration at the federal and provincial levels and ensure they comply with international human rights standards;	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women ( NCSW)	<ul style="list-style-type: none"> <li>- The Punjab Protection of Women against Violence Act</li> <li>- The Domestic Violence (Prevention and Protection) Act, 2013</li> <li>- The Balochistan Domestic Violence (Prevention and Protection) Act, 2014</li> <li>- The Khyber Pakhtunkhwa Domestic Violence Against Women (Prevention and Protection) Act 2021</li> <li>- Certain provisions of the Punjab Domestic Violence Act were challenged in the Federal Shariat Court. The petitioners urged the court to declare the Act as repugnant to Islam, however, the Judge presiding over the case desputed this argument in great detail.</li> </ul>	<p><b>Enact legislation against domestic violence for ICT:</b> In line with the various laws of the provinces, the ICT Domestic Violence Bill 2020 should be enacted into law to provide a functioning grievance redressal mechanism for victims of domestic violence as well as make available protection and support mechanisms for survivors.</p> <p><b>Provide support and services to victims of domestic violence:</b> Promulgation of the law for ICT should be complemented by adequate budgetary resources to Chief Commissioner ICT to ensure availability of human resource and protection mechanisms for sustained implementation of the law including shelters, helplines, and other services like counselling, legal aid, and medical assistance.</p>	<p>- NCHR published a comprehensive policy brief regarding domestic violence in Pakistan. This publication contains legal analyses, recommendations and important statistics regarding this urgent topic.</p> <p>- NCHR conducted a media campaign advocating for domestic violence legislation for ICT.</p>	<p>NCHR Domestic Violence Policy Brief</p>
C (14) (b)	The State party should continue its efforts to effectively enforce the anti-honour killings and anti-rape laws and other relevant laws criminalizing violence against women and domestic violence, and monitor their enforcement throughout the territory;	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women	<ul style="list-style-type: none"> <li>- Anti-Rape (Investigation and Trial) Act 2021</li> <li>- Anti-Rape (Crises Cell and Medico-Legal) Rules 2022 notified under the Anti-Rape (Investigation and Trial) Act 2021</li> </ul>	<p><b>The Anti-Rape (Crises Cell and Medico-Legal) Rules 2022</b> have to be refined to sync with the police rules and the Code of Criminal Procedure, 1898. For example, Rule 6 obligates the IO to collect evidence professionally and without delay. The obligation is deep rooted already in the criminal justice legal framework, but is seldom acted upon due to lack of funding on the crime scene equipment that is resource intensive.</p>		<p><a href="https://voicepk.net/2023/07/man-kills-sister-for-honour-on-jirgas-order/">https://voicepk.net/2023/07/man-kills-sister-for-honour-on-jirgas-order/</a></p> <p><a href="https://www.thenews.com.pk/print/1054328-anti-rape-crises-cells-rules-and-beyond">https://www.thenews.com.pk/print/1054328-anti-rape-crises-cells-rules-and-beyond</a></p> <p><a href="https://rsilpak.org/2023/rule-making-under-the-anti-rape-investigation-and-trial-act-2021/">https://rsilpak.org/2023/rule-making-under-the-anti-rape-investigation-and-trial-act-2021/</a></p>

C (14) (c)	The State party should continue its efforts to enforce the prohibition of the application of qisas and diyat laws to so-called honour-related crimes and continue to regulate and supervise the tribal councils;	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women	<p>-In 2017, the National Assembly of Pakistan passed the Alternative Dispute Resolution (ADR) Act which proposed an alternate system of justice that can facilitate the settlement of disputes expeditiously without resorting to formal litigation. QADR was introduced to increase the accessibility of civilians to the law and to put an end to the unlawful practices of jirga tribunals.</p> <p>- There has been some legislative development in relation to <b>tribal courts or jirgahs</b>. During the hearing of an application, Justice Salahuddin Panhwar of the Sindh High Court condemned Sindh's jirgah system and ordered immediate action against it.</p> <p>- In 2019, then Chief Justice of Pakistan (CJP) Mian Saqib Nisar ruled that Pakistan's system of jirgas and panchayats is in violation of its international obligations during the hearing of a writ petition filed by the National Commission on the Status of Women (NCSW) and the Khyber Pakhtunkhwa government. The Supreme Court held that the system was directly opposed to the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), to which Pakistan is a signatory.</p>	<p>- The State should increase its supervision of the Jirga system (tribal councils) and its investigations related to honour killings to ensure that the Constitutional and legal rights of victims are protected.</p>	<p><a href="https://tribune.com.pk/story/2407440/217-killed-in-the-name-of-honour-in-2022-report">https://tribune.com.pk/story/2407440/217-killed-in-the-name-of-honour-in-2022-report</a></p> <p><a href="https://voicenet.net/2023/05/shc-stands-against-jirgas/">https://voicenet.net/2023/05/shc-stands-against-jirgas/</a></p>
C (14)(d)	The State party should continue its efforts to encourage the reporting of violence against women, inter alia by informing women of their rights as well as the legal and other services that exist through which they can receive protection and compensation;	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women	<p>- In January 2023, a free legal assistance programme for female victims of sexual harassment and social injustice was launched in Balochistan.</p>	<p>- Efforts should be made to raise awareness about domestic violence and its harmful effects, reporting mechanisms such as the NCHR &amp; NCSW Complaint Cells, and government compensation and rehabilitation schemes. This can be done through public awareness campaigns, school programs, and community-based interventions.</p> <p>- Involve men in advocating against domestic violence. Men can play a critical role in addressing domestic violence by challenging patriarchal attitudes and behaviours. Efforts should be made to promote positive models of masculinity</p>	<p>- NCHR promotes its complaint cell as an efficient and effective reporting mechanism for victims of domestic violence. Previously, NCHR has disposed off a myriad of cases related to domestic violence.</p> <p><a href="https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/Pakistan.pdf">https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/Pakistan.pdf</a></p> <p><a href="https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/Pakistan.pdf">https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/64/National-reviews/Pakistan.pdf</a></p> <p><a href="https://tribune.com.pk/story/2397215/free-legal-assistance-for-women-launched">https://tribune.com.pk/story/2397215/free-legal-assistance-for-women-launched</a></p>
C (14) (e)	The State party should continue its efforts to ensure that cases of violence against women and domestic violence are promptly and thoroughly investigated and that perpetrators prosecuted and, if convicted, punished with penalties commensurate with the gravity of the offences;	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women ( NCSW)	<p>- The strengthening of the office of the ombudsman at federal and provincial levels is an aspect of focus for the Government of Pakistan with a strong follow up and information management system for measuring trends and resolution of complaints.</p> <p>- In 2017, the Lahore High Court and district judiciary Lahore inaugurated Pakistan's first Gender Based Violence Court. Conceived as an institution to streamline cases involving female survivors of VAW, it makes provision for extraordinary measures to support survivors, ensure speedy and confidential trials, reduce harassment and provide security against reprisals to survivors.</p>	<p><b>Identify and address the gaps and delays in the investigative process:</b> Victims of domestic violence face difficulties in registering first information reports (FIRs), they have a lack of legal knowledge, they fear the judicial system, and they lack financial independence. Once the FIR has been submitted, there are delays in its registration. For example, the Rawalpindi complaint centre noted many complaints regarding the non-registration of FIRs with delays extending up to 23 days. There are delays in obtaining a medico legal certificate (MC) and trouble in storage &amp; transport of specimens.,</p>	<p>- NCHR often takes up complaints related to domestic violence.</p> <p><a href="https://www.thenews.com.pk/print/1037887-nchr-concerned-over-rising-number-of-domestic-violence-incidents">https://www.thenews.com.pk/print/1037887-nchr-concerned-over-rising-number-of-domestic-violence-incidents</a></p> <p>NCHR Report</p>

C (14) (f)	The State party should continue its efforts to ensure that victims receive the necessary legal, medical, financial and psychological support and have access to effective remedies and means of protection;	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women (NCSW)/Women Development Department		<p><b>Improve and update women's shelters:</b> A natural social protection corollary to addressing violence against women, is the setup of protection shelters. Working to provide refuge and protection, shelters offer services which enable women who have experienced abuse to recover from the violence, to rebuild self-esteem, and gain independence. There are 103 women's shelters in Pakistan, the largest number in Sindh and Punjab- Balochistan and KP have 5 women's shelters each. The shelters however, are under-budgeted and by and large dysfunctional and archaic in their way of operating. They need uplift, and they need standardised protocols under which to function.</p>	<p><b>NCHR regional teams conduct inspections of local Dar-ul-Amans. The findings of these inspections are being compiled into a comprehensive report. Following are recommendations from this upcoming report:</b></p> <ul style="list-style-type: none"> <li>- There is a need to provide legal protection to all shelters and crisis centres (DUAs and SBBWCCs) in all provinces. This must be done through amendments to existing laws, and the notification of rules and policies.</li> <li>- In Punjab, SWD should notify DUAs as part of the protection system under section 13 of the Punjab Protection of Women against Violence Act, 2016, which envisages the establishment of a protection system that includes shelter homes.</li> <li>- In Sindh, there is a need to amend the to existing shelters.</li> <li>- In Balochistan, shelters should be protected through an amendment to the Domestic Violence Act, 2014, and its rules of business.</li> <li>- In KP, DUAs have no legal protection and the much-needed Domestic Violence (Prevention and Protection) Bill, 2016, is still pending, even though it has been approved by the KP cabinet.</li> </ul>	
C (14) (g)	The State party should continue its efforts to ensure that judges, prosecutors and law enforcement authorities continue to receive appropriate training that equips them to deal with cases of violence against women and domestic violence effectively and in a gender-sensitive manner; and increase the number of female police officers and specialized units dealing with such cases to an adequate level.	Violence against women and domestic violence	Ministry of Human Rights/ National Commission on Status of Women (NCSW)/Women Development Department		<p><b>Sensitise the judiciary</b> on gender subjects and international commitments, as well as redress mechanisms available for victims of domestic abuse. Train judges regarding the consequences and impacts of domestic violence and Pakistan's international commitments to ensure their decisions are aligned with them</p>		
C (16)	The State party should review its legislation to ensure that legal restrictions do not prompt women to resort to unsafe abortions that may endanger their lives and health. It should also take all measures necessary to combat the stigma associated with abortion; ensure the provision of safe voluntary termination of pregnancy by trained medical providers; ensure ready and affordable access to post-abortion health-care services throughout the country; and improve access to affordable contraception and sexual and reproductive health education and services, including for adolescents and disadvantaged women and girls in rural areas.	Voluntary termination of pregnancy and maternal mortality	Ministry of Human Rights/ National Commission on Status of Women (NCSW)/Ministry of Poverty Alleviation & Social Safety/ Ministry of National Health Services Regulations and coordination/Lady health workers program	<p><b>- Laws with a broad mandate:</b> In 1997, an additional clause was added to Chapter XVI, Section 338 of the PPC: induced abortion is also permissible 'before the limbs or organs of the baby have been formed' for the purpose of 'necessary treatment'. This stipulation, regarding limbs and organs is based on Islamic law, which states that induced abortion is permitted until the 'quickening' of the foetus—up to 20 weeks gestation, according to Pakistani medical practice.</p> <p>- March 2018, the Ministry of National Health Services published a 32-page pamphlet listing guidelines for safe abortion practices and post-abortion care.</p> <p><b>- Lady Health Workers (LHWs) and Self-Injection Contraception:</b> In October 2017, the Government of Sindh approved initiation of injectable contraception by Lady Health Workers (LHWs). A pilot project was implemented with favorable results.</p> <p>- Women in need are eligible for <b>free postabortion and contraceptive counseling and care</b> through Pakistan's national health insurance system, Sehat Sahulat, which is funded and implemented by the government and serves people living below the poverty line (currently those earning less than \$2 USD per day).</p>	<p><b>Capacity building workshops for healthcare professionals:</b> Service providers like nurses and doctors must be educated about abortion laws so they are able to interpret the law broadly to accurately deal with patients.</p> <p><b>Guidelines only exist on paper:</b> Policy shift needed with a defined scope and SOPs. There is no education on PPC 338 in medical schools. There is limited abortion access despite law as the Penal Code punishes the person who "causes a woman with child some of whose limbs or organs have been formed to miscarry, if such miscarriage is not caused in good faith for the purpose of saving the life of the woman." Abortion is criminalized under Pakistan's Penal Code unless it is to save the life of the woman or provide "necessary treatment" to a woman before the organs of the fetus have been formed.</p> <p><b>Take concrete measures to liberalize the legal framework on abortion</b> and effectively implement policies and guidelines to ensure availability of safe abortion services and post-abortion care.</p> <p><b>Take concrete measures to remove barriers to adolescents' access to sexual and reproductive health services</b> by ensuring adolescents access to comprehensive sexuality</p>	<p><a href="https://reproductive-rights.org/wp-content/uploads/2022/07/pakistan-UJPR-submission-july-2022.pdf">https://reproductive-rights.org/wp-content/uploads/2022/07/pakistan-UJPR-submission-july-2022.pdf</a></p> <p><a href="https://sochwriting.com/s-abortion-legal-in-pakistan/">https://sochwriting.com/s-abortion-legal-in-pakistan/</a></p> <p><a href="https://pdf.usaid.gov/pdf_docs/PA00TJP3.pdf">https://pdf.usaid.gov/pdf_docs/PA00TJP3.pdf</a></p>	
C (18)	The State party should reinstate the moratorium and consider abolishing the death penalty and acceding to the second Optional Protocol to the Covenant.	Death Penalty	Ministry of Law and Justice, Ministry of Human Rights				

C (18) (a)	<p>If the death penalty is maintained, the State party should, as a matter of priority, take all measures necessary to ensure that:</p> <p>(a) The death penalty is provided only for the "most serious crimes" involving intentional killing; it is never mandatory; pardon or commutation of the sentence is available in all cases, regardless of the crime committed; and it is never imposed in violation of the Covenant, including in the absence of fair trial procedures, and is not imposed by military courts, in particular against civilians;</p>	Death Penalty	Ministry of Law and Justice, Ministry of Human Rights		<p><b>Recommendations provided by Justice Project Pakistan (JPP) in its Follow-Up Report in September 2019 :</b></p> <ul style="list-style-type: none"> <li>- Initiate a legislative process to revise the Pakistan Penal Code, 1860 and other laws to limit the death penalty to crimes of intentional killings or attempted killings in order to meet the "most serious crimes" threshold in Article 6(2) of the ICCPR.</li> <li>- Provide a judicial remedy for accused persons in whose cases new evidence has been discovered, which could serve as a basis to mitigate his sentence.</li> <li>- Launch independent investigations into cases alleging coerced confessions; juvenility or mental illness.</li> <li>- Commute death sentence of all juveniles and individuals with mental illness</li> <li>- Repeal provisions which stipulate the mandatory imposition of the death penalty.</li> <li>- A moratorium should be reinstated until independent investigations into cases alleging coerced confessions; juvenility or mental illness have been finalised and until the mercy petitions procedure has been revised.</li> <li>- The Government of Pakistan should immediately and publicly disavow the policy decision not to grant mercy petitions, in addition to publishing data relating to the exercise of the President's power under Article 45 since December 2014.</li> </ul>		
C (18) (b)	<p>If the death penalty is maintained, the State party should, as a matter of priority, take all measures necessary to ensure that: No person who was below 18 years of age at the time of the commission of an offence is subjected to the death penalty and those charged with a capital offence have access to an effective and independent age determination process, and are treated as children if doubts remain about their age at the time of the crime;</p>	Death Penalty		<ul style="list-style-type: none"> <li>- In accordance with the Juvenile Justice System (Juvenile Justice System Ordinance (2000), death penalty cannot be imposed on individuals below the age of 18 in Pakistan. Adequate safeguards are in place to ensure this, and no death penalty has been awarded to any individual below the age of 18.</li> <li>- The Juvenile Justice System Act, 2018 has also been promulgated. The Act provides for disposal of cases through diversion and social- reintegration of the juvenile offenders. Provision in the law allows for self-determination of age, shifting the onus to prove otherwise on the prosecution.</li> </ul>	<p><b>Recommendations provided by Justice Project Pakistan (JPP) in its Follow-Up Report in September 2019:</b></p> <ul style="list-style-type: none"> <li>- Amend the Anti-Terrorism Act, 1997 to ensure that Anti-Terrorism Courts do not have the jurisdiction to try and convict juvenile offenders.</li> <li>- Compile statistics of the total number of juvenile offenders on death row along with the crimes that they are convicted under.</li> </ul>	<p>- In its follow up letter, CCPR requests the following information: "the number of persons currently on death row for crimes committed while they were under the age of 18 years, the number of stays of execution that have been issued for those under 18 years of age who were sentenced to death, whether the Act has been fully applied, that is, whether persons under the age of 18 have been sentenced to death since the passage of the Act, and the measures taken to implement the age determination process in the new Juvenile Justice System Act." NCHR has written to relevant authorities requesting this information.</p>	<p><a href="https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/149/41/PDF/G1914941.pdf?OpenElement">https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/149/41/PDF/G1914941.pdf?OpenElement</a></p> <p>- <a href="https://ccprcentre.org/files/documents/INT_CCPR_CSS_PAK_27601_E.pdf">https://ccprcentre.org/files/documents/INT_CCPR_CSS_PAK_27601_E.pdf</a></p> <p>- Attach NCHR Letters</p>
C (18) (c)	<p>If the death penalty is maintained, the State party should, as a matter of priority, take all measures necessary to ensure that: No one with serious psychosocial or intellectual disabilities is executed or sentenced to death, including by establishing an independent mechanism to review all cases where there is credible evidence that prisoners who are facing the death penalty have such disabilities and reviewing the mental health of death row inmates;</p>	Death Penalty	Ministry of Law and Justice, Ministry of Human Rights	<ul style="list-style-type: none"> <li>- A Committee to review mercy petitions has been notified under Article 45 of the Constitution whereby the President of Pakistan has been granted powers to pardon prisoners on the death row.</li> <li>- 2021 Supreme Court Ruling against capital punishment for people with serious mental health issues</li> </ul>	<p><b>Recommendations provided by Justice Project Pakistan (JPP) in its Follow-Up Report in September 2019:</b></p> <ul style="list-style-type: none"> <li>- Permanently commute death sentences of all prisoners on death row suffering from mental illness</li> <li>- Enact legislation explicitly prohibiting the execution of mentally ill persons regardless of whether the illness occurred either prior to the time of the commission of the offence or following conviction to bring domestic law in line with Article 6 &amp; 7 of the ICCPR.</li> <li>- Ensure that all prisoners suffering from mental illness who are currently confined in prison are transferred to mental health facilities in accordance with the Pakistan Prison Rules, 1860</li> <li>- Ensure the psychological assessments are made mandatory at the time of arrest and at the time of admission in prison for all prisoners. Additionally, ensure that regular psychological assessments are conducted for all prisoners, including those on death row. From JPP, reword it"</li> </ul>		<p><a href="https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/149/41/PDF/G1914941.pdf?OpenElement">https://documents-dds-ny.un.org/doc/UNDOC/GEN/G19/149/41/PDF/G1914941.pdf?OpenElement</a></p>

C (18) (d)	If the death penalty is maintained, the State party should, as a matter of priority, take all measures necessary to ensure that: The execution protocol is in line with international human rights standards and executions are carried out in accordance with the established protocol;	Death Penalty	Ministry of Law and Justice, Ministry of Human Rights		<p><b>Recommendations provided by Justice Project Pakistan (JPP) in its Follow-Up Report in September 2019 :</b></p> <ul style="list-style-type: none"> <li>- The execution protocols in the Pakistan Prison Rules need to be amended to incorporate prohibition on the execution of mentally and physically disabled prisoners.</li> <li>- Amend the Pakistan Prison Rules to reinstate the original rule allowing for 14-21 day limit between the request for a warrant of execution and the date of scheduling the execution. Currently, the execution must take place within 3-8, which often includes the weekend, leaving little time for legal counsel to build their case.</li> </ul>	<a href="https://ccprcentre.org/files/documents/INT_CCPR_CSS_PAK_27601_E.pdf">https://ccprcentre.org/files/documents/INT_CCPR_CSS_PAK_27601_E.pdf</a>
C (18) (e)	If the death penalty is maintained, the State party should, as a matter of priority, take all measures necessary to ensure that: Pakistani migrant workers sentenced to death overseas are provided with sufficient legal and consular services throughout their legal proceedings.	Death Penalty	Ministry of Law and Justice, Ministry of Human Rights/ Ministry of Interior		<p>Accurate statistic regarding Pakistani migrant workers sentenced to death overseas, if any, must be retrieved from relevant authorities.</p>	
C (20)	The State party should criminalize enforced disappearance and put an end to the practice of enforced disappearance and secret detention. It should also review the Actions (in aid of Civil Power) Regulation, 2011 with a view to repealing it or bringing it into conformity with international standards. It should also ensure that all allegations of enforced disappearance and extrajudicial killings are promptly and thoroughly investigated; all perpetrators are prosecuted and punished, with penalties commensurate with the gravity of the crimes; families of disappeared persons and their lawyers and witnesses are protected; and a mechanism is put in place for full and prompt reparation for victims and their families. It should further strengthen the authority and the capacity (financial and personnel) of the Commission of Inquiry on Enforced Disappearances so that the latter can function effectively.	Enforced disappearance and extrajudicial killings	Ministry of Law and Justice, Ministry of Human Rights/ Ministry of Interior	<p><b>- Commission on Enquiry of Enforced Disappearances.</b> Families of disappeared persons can lodge complaints. The system is absolutely free of cost as neither there is any fee for lodging a complaint nor are the complainants are required to engage lawyers to appear before the Commission.</p>	<p>- In its follow-up letter, the ICCPR Committee "also requires information on: (a) measures taken to criminalize enforced disappearance and to put an end to the practices of enforced disappearance and secret detention; (b) whether the State party intends to repeal the Actions (in Aid of Civil Power) Regulation, 2011 or to bring it into conformity with international standards; (c) measures taken to ensure that all perpetrators are prosecuted and punished with penalties commensurate with the gravity of the crimes; (d) measures taken to ensure that families of disappeared persons and their lawyers and witnesses are protected; (e) measures taken to put in place a mechanism for full and prompt reparation for victims and their families; (f) measures taken since the adoption of the concluding observations to further strengthen the authority and the capacity (financial and personnel) of the Commission of Inquiry on Enforced Disappearances; and (g) cases dealt with by the Commission of Inquiry on Enforced Disappearances."</p>	
C (22)	The State party should review the Anti-Terrorism Act with a view to aligning the definition of terrorism provided in article 6 of the Act with international standards; removing the jurisdiction of the antiterrorism courts over juvenile offenders; repealing section 21-H of the Act; and establishing procedural safeguards in the Act and bringing the court proceedings into line with articles 14 and 15 of the Covenant to ensure fair trials. It should also take the measures necessary, acting in line with the Covenant, to reduce the existing backlog of cases.	Anti-Terrorism Act	Ministry of Law and Justice, Ministry of Human Rights/ Ministry of Defence	<p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b> Ghulam Hussain vs. the State is a landmark judgment by the Supreme Court of Pakistan, which lays down a conclusive and narrow scope of the definition of terrorism and its application with respect to criminal cases, thereby preventing misuse of anti-terrorism law. To invoke the provisions of ATA 1997, a three-fold test needs to be satisfied in pursuance of this judgment: a) there must be actus reus, b) there must be mens rea, and c) the first two conditions must be coupled with an intention to advance an ideological, political, or religious cause. With this judgment, the Supreme Court of Pakistan has brought this law in consistency with the prevalent notion of terrorism under local jurisdictions and international law. The judgment also recommends the legislature to limit the scope of the ATA 1997 by amending the preamble of the Act to only include acts of terrorism, and by removing Schedule III from the Act.</p>	<p><b>Recommendations from Justice Project Pakistan's Report, "Reforming the Anti-Terrorism Act, 1997":</b></p> <p><b>The broad definition of terrorism in law</b> allows the inclusion of offences bearing little or no connection to terrorism. Justice Project Pakistan's report "Terror on Death Row" shows that by December 2014, more than 86% of prisoners tried in ATCs were not 'terrorists' as the term is commonly understood. JPP recommends amendments to Section 6 such as "the words 'the use or threat is designed to' should be replaced with 'the use or threat is made with the intention of' in order to clarify the requirement of intent."</p> <p><b>Section 21-H permits the use at trial of extra-judicial 'confessions'</b> given to police or security forces in terrorism cases. In the absence of fundamental safeguards, there is a heightened risk of torture and coerced confessions, which, in any case, lead to wrongful convictions. In order to counter rampant use of torture by police to coerce confessions, it is proposed that section 21-H of the ATA should be repealed.</p>	<p><a href="https://www.ohchr.org/sites/default/files/documents/HRBodies/HRCouncil/AdvisoryCom/Terrorism/JusticeProjectPakistan_3.pdf">https://www.ohchr.org/sites/default/files/documents/HRBodies/HRCouncil/AdvisoryCom/Terrorism/JusticeProjectPakistan_3.pdf</a></p> <p>- <a href="https://ccprcentre.org/files/documents/INT_CCPR_CSS_PAK_27601_E.pdf">https://ccprcentre.org/files/documents/INT_CCPR_CSS_PAK_27601_E.pdf</a></p> <p><a href="#">Pakistan's second periodic report</a></p>

C (24) (a)	The State party should review the legislation relating to the military courts with a view to abrogating their jurisdiction over civilians and their authority to impose the death penalty	Military Courts	Ministry of Law and Justice, Ministry of Human Rights		<p>- The 2018 judgment of the Peshawar High Court (PHC), setting aside the convictions of more than 70 people tried by military courts, is a scathing indictment of the myriad procedural irregularities prevalent in military trials. The PHC, citing a lack of evidence, concluded that these cases were "based on malice of facts and law." The PHC also raised concerns about the unlawful manner in which the confessions of the accused were obtained by the military authorities. Whilst applying the law on confessions to the facts of the case, the Court held that the necessary safeguards had been flouted during the proceedings before military courts and, therefore, the statements of the accused could not be relied upon as evidence in order to secure their convictions.</p> <p>- After the political unrest of May 9th 2023, the Federal Government and the High Command of the Armed Forces decided to try perpetrators in Military Courts under the <b>Pakistan Army Act and Official Secrets Act</b>. For those being tried in Military Courts, the State must ensure the provision of grounds of arrest, counsel access, protection against double jeopardy, provision of the charge sheet, provision of a statement of evidence, right of hearing, recording of evidence, right to appeal, judicial review and right to file mercy petition, as per the constitutional rights of those on trial.</p>		<a href="https://www.nation.com.pk/22-Jun-2023/the-trial-of-civilians-in-military-courts-under-pakistan-army-act-and-the-official-secrets-act">https://www.nation.com.pk/22-Jun-2023/the-trial-of-civilians-in-military-courts-under-pakistan-army-act-and-the-official-secrets-act</a>
C (24) (b)	The State party should reform the military courts to bring their proceedings into full conformity with articles 14 and 15 of the Covenant in order to ensure a fair trial.	Military Courts	Ministry of Law and Justice, Ministry of Human Rights		<p>Amnesty International has documented a catalog of human rights violations stemming from trying civilians in military courts in Pakistan, including "flagrant disregard for due process, lack of transparency, coerced confessions, and executions after grossly unfair trials," the global watchdog said. do not conform with articles 14 and 15. They question whether a trial conducted by military courts fulfills the requirements of due process for a fair trial, as guaranteed by the Constitution. The misinterpretation of the Pakistan Army Act and the Military Justice System has caused significant discontent among the population. There are fears that basic human rights may be infringed upon, leading to the erosion of democracy, which further exacerbates the situation./ Due process and infringement of human rights concerns. Idris Khattak case ? Update on that</p> <p>Accused are kept strictly under the legal provisions and basic principles of human rights with access to defense counsel and near relatives under the provisions of PAA Section 73. {(Custody of Offenders), which states that "any person subject to this act who is charged with any offence may be taken into military custody".</p> <p>Concerns of Amnesty International; Trying Civilians in Military Courts - Contrary to International Human Rights Law (IHRL). It is absolutely within the</p>		
C (26) (a)	The State party should amend its laws to ensure that all elements of the crime of torture are prohibited in accordance with article 7 of the Covenant and stipulate sanctions for acts of torture that are commensurate with the gravity of the crime;	Torture	Ministry of Law and Justice, Ministry of Human Rights	Torture and Custodial Death (Prevention & Punishment) Act 2022	<p><b>Possible amendments for the Torture and Custodial Death (Prevention &amp; Punishment) Act 2022:</b></p> <ul style="list-style-type: none"> <li>-Include mental torture in the scope of the Act</li> <li>- Empower the NCHR to investigate custodial torture complaints</li> <li>- Provide rigorous training and sensitization of public officials on the provisions of the Act. An earlier iteration of the Act granted the NCHR sole investigative authority in cases of custodial torture. However under Section 5, this entire process is now entrusted to the FIA. This represents a blatant conflict of interest whereby public officials are tasked with holding their fellow officers accountable. This constitutes a moral hazard that will jeopardise the scope for impartiality, leading to a lack of accountability across the board.</li> </ul>	NCHR needs more funding and resources and rules that establish the coordination between FIA and NCHR. Empower NCHR.	<a href="https://voicepk.net/2023/05/anti-torture-law-must-be-implemented-thoroughly-hrcp-report/">https://voicepk.net/2023/05/anti-torture-law-must-be-implemented-thoroughly-hrcp-report/</a>

C (26) (b)	The State party should ensure prompt, thorough and effective investigation of all allegations of torture and ill-treatment, prosecute, punish the perpetrators, if convicted, with penalties commensurate with the gravity of the offence and provide effective remedies for the victims, including rehabilitation;	Torture	Ministry of Law and Justice, Ministry of Human Rights	- As a result of NCHR intervention in Assiya Bibi Case in Islamabad High Court, Jail Oversight Committee was formed with representatives from NCHR, civil society and forensic experts to regularly visit the jail.	The government with the help of civil society organisations must create rehab training programmes in jails across the country. This will indeed go a long way in improving the prison system, reducing the prison population, and encouraging criminals to choose a better path.	NCHR investigation into allegations of torture at Adiala Jail resulted in institutional and legal reform, as detailed in the "Report on Torture at Adiala Jail". One of the main recommendations made by NCHR in the report was the establishment of Human Rights Courts under Section 21 of the NCHR Act, 2012, which have recently been notified.	<a href="https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf">https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf</a>
C (26) (c)	The State party should ensure that confessions obtained by coercion are never admissible in legal proceedings;	Torture	Ministry of Law and Justice, Ministry of Human Rights	Torture and Custodial Death (Prevention & Punishment) Act 2022	<b>Recommendations from 2022 Report by HRCP:</b> - Introduce independent police reforms to upgrade the system of policing and crime control to facilitate implementation of the Act. - Ensure that public officials undergo rigorous training, awareness and sensitisation to issues related to custodial torture. - Efforts should be made to change political practices and social behaviours that covertly sustain or encourage custodial torture.		<a href="https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf">https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf</a>
C (26) (d)	The State party should take all measures necessary to prevent torture, including by strengthening the training of judges, prosecutors, the police and military and security forces.	Torture	Ministry of Law and Justice, Ministry of Human Rights		- Training awareness for public officials, including law enforcement officers, such as rigorous training on human rights, ethics, and appropriate conduct during arrests, detentions, and interrogations. Special emphasis should be placed on sensitizing them to issues related to custodial torture and its consequences.	- NCHR developed "The Manual for Investigating Torture Complaints", which aims to lay the groundwork for guidelines on interviewing victims of torture and guidelines for the documentation of torture.  - NCHR/JPP Torture report in Faisalabad Jails	<a href="https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf">https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf</a>
C (28)	The State party should intensify its efforts to reduce prison overcrowding and improve the conditions of detention, particularly health care and hygiene. It should also take all measures necessary to ensure that pretrial detention is used solely as an exceptional measure and not for excessively long periods, in accordance with article 9 of the Covenant.	Deprivation of liberty	Ministry of Law and Justice, Ministry of Human Rights	Torture and Custodial Death (Prevention & Punishment) Act 2022  Punjab Probation and Parole Services Act 2019 was passed to create an effective and efficient probation and parole service for assessing and managing offenders who have been or may be sentenced to probation or parole, as well as for better coordination in the criminal justice system, and for matters connected with or incidental thereto. The Act also requires the Government to develop and operate a service known as the Punjab Probation and Parole Service which shall be responsible for assessing offenders' risks and needs, developing plans for working with offenders, managing offenders' risks, maintaining and updating data on offenders managed or evaluated by the Service, ensuring that conditions of release or license are met, and facilitating offenders' rehabilitation	- Sentencing reform is required for overcrowding and pretrial detention. The right to liberty, as enshrined in Article 9 of the Covenant, should be respected, and individuals should not be detained for excessively long periods without a valid legal basis. As of 2022, many of Pakistan's 91 jails and prisons were more than 100 percent over capacity. Severe overcrowding has compounded existing health deficiencies in prisons, leaving inmates vulnerable to communicable diseases and unable to access medicine and treatment for even basic health needs.	NCHR conducts regular jail visits and inspections. Observations, recommendations and results of NCHR interventions are included in published reports.	<a href="https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=60kG1d%2FPPRiCAqhKb7yHssvRlCsm3gUSDlnv8Slm%2F8JCuDwLHssQB9lRugNhZg0dCGTv2BBLTS6a2zwAWZs%2FV6nAQ4v2VbM SYUJiJOOpKME21PTIFkyqcJAlmhgt">https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=60kG1d%2FPPRiCAqhKb7yHssvRlCsm3gUSDlnv8Slm%2F8JCuDwLHssQB9lRugNhZg0dCGTv2BBLTS6a2zwAWZs%2FV6nAQ4v2VbM SYUJiJOOpKME21PTIFkyqcJAlmhgt</a>  NCHR Jail Visit Reports
C (30)	The State party should review the Passports Act and other legislation and policies relating to the Exit Control List, the Black List, the Passport Control List and the Visa Control List with a view to bringing them into compliance with article 12 of the Covenant, and ensure that they do not restrict freedom of movement on unjustified grounds.	Freedom of movement	Ministry of Interior	In April 2022, the Government amended the ECL rules. According to the revised rules, an individual's name, which had been on the ECL for more than 120 days, would automatically be removed unless the Government requests for retention to the ECL Committee by providing supporting evidence.			

C (32)	The State party should continue to review existing legislation on the administration of justice with a view to bringing it into compliance with the Covenant and international human rights standards, and take specific steps to ensure that the Constitution, federal laws and the jurisdiction of the highest courts are applied in the entire territory of the State party, including the Federally Administered Tribal Areas. It should also take all measures necessary to strengthen the independence, qualifications and effectiveness of the judiciary.	Right to a fair trial and administration of justice	Ministry of Law and Justice, Ministry of Human Rights	<p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <ul style="list-style-type: none"> <li>- In Pakistan, each province has its own High Court.</li> <li>- High Courts have jurisdiction over their respective provinces under Article 199 of the Constitution.</li> <li>- The Supreme Court of Pakistan has jurisdiction over the entire country under Article 184 of the Constitution.</li> <li>- The Supreme Court deals with constitutional petitions for matters of public importance, especially related to Fundamental Rights.</li> <li>- The 25th amendment to the Constitution merged the Federally Administered Tribal Areas (FATA) into Khyber Pakhtunkhwa (KP).</li> <li>- The Supreme Court and High Court Extension of Jurisdiction to Federally Administered Tribal Areas Act, 2018 was passed to extend the jurisdiction of superior courts to the merged FATA region.</li> <li>- Gilgit-Baltistan has its own legal framework.</li> <li>- The superior courts in Gilgit-Baltistan are the Supreme Appellate Court and Chief Court.</li> <li>- Azad Jammu and Kashmir (AJK) also has its own legal framework.</li> <li>- The superior courts in AJK are the Supreme Court of AJK and AJK High Court.</li> </ul>	Facilitate capacity building programs and training for judges, lawyers, and court staff to enhance their skills and knowledge, enabling them to effectively navigate complex legal issues and improve the overall efficiency of the judicial system.		<a href="https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FPAK%2F2&amp;Lang=en">https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2FC%2FPAK%2F2&amp;Lang=en</a>
C (34) (a)	The State party should repeal all blasphemy laws or amend them in compliance with the strict requirements of the Covenant, including as set forth in the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression, para. 48;	Freedom of religion, conscience and belief	Ministry of Law and Justice, Ministry of Human Rights/ Ministry of Religious Affairs and Inter-faith Harmony	The State is fully committed to prevent misuse or abuse of the blasphemy law. The offense of blasphemy in Pakistan is non-discriminatory in nature as it deals with offences against all religions and applies to Muslims and non-Muslims alike. Independent judiciary, free media and vibrant civil society provide additional safeguards against misuse of the blasphemy law.	<ul style="list-style-type: none"> <li>- In its follow-up letter, the CCPR Committee requests "information on the implementation of the legislative amendment of 2017 that increased the punishment from six months to five to seven years for levelling false charges."</li> <li>- It also requires information on measures taken to ensure that all those who incite or engage in violence against others on the basis of allegations of blasphemy, as well as those who falsely accuse others of blasphemy, are brought to justice and duly punished.</li> <li>- The Committee requires information on the number of investigations, prosecutions and convictions as well as on the sentences imposed on perpetrators (of hate speech and hate crimes), in the last three years.</li> </ul>		
C (34) (b)	The State party should ensure that all those who incite or engage in violence against others based on allegations of blasphemy, as well as those who falsely accuse others of blasphemy, are brought to justice and duly punished;	Freedom of religion, conscience and belief	Provincial Governments, Ministry of Religious Affairs, Law and Justice Division, Ministry of Information and Broadcasting, the Council of Islamic Ideology, Ulema Councils and Various Law Enforcement Agencies	It is noteworthy that not a single person has been executed so far on the allegations of blasphemy.	Although not a single person has been executed on allegations of blasphemy, the State must investigate cases of extrajudicial killings of those suspected of blasphemy.		
C (34) (c)	The State party should take all measures necessary to ensure adequate protection of all judges, prosecutors, lawyers and witnesses involved in blasphemy cases;	Freedom of religion, conscience and belief	Provincial Governments, Ministry of Religious Affairs, Law and Justice Division, Ministry of Information and Broadcasting, the Council of Islamic Ideology, Ulema Councils and Various Law Enforcement Agencies	<p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <p>The State of Pakistan ensures adequate security measures to judges hearing and deciding cases in respect of the blasphemy law. The State deploys adequate security personnel for the safety and protection of judges. Various decisions have been given by courts in matters of blasphemy (examples include the Asia Bibi case and MumtazQadir verdict) without fear of any untoward consequences, hence, enabling them to decide matters fairly as per law.</p>			

C (34) (d)	The State party should ensure that all cases of hate speech and hate crimes are thoroughly and promptly investigated and that perpetrators are prosecuted and, if convicted, punished;	Freedom of religion, conscience and belief	Provincial Governments, Ministry of Religious Affairs, Law and Justice Division, Ministry of Information and Broadcasting, the Council of Islamic Ideology, Ulama Councils and Various Law Enforcement Agencies	<p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <p>- Various legislative, policy and administrative measures have been taken to check the misuse of blasphemy law. In pursuance of such aims, the Ministry of Interior has, with the approval of the Federal Cabinet, made amendments in the Federal Investigation (FIA) schedule wherein any complaint under section 295-A, 295-C, 298 and 298-A of Pakistan Penal Code (PPC) will fall within the purview of the FIA which will have the powers to check misuse of blasphemy cases parallel to the provincial police departments. Additional safeguards have been put in place to prevent the misuse of blasphemy laws through false accusations.</p> <p>- To protect the rights of citizens in Pakistan, the procedure has been amended and the preliminary inquiry in blasphemy cases is now carried out by the District Police Officer. Section 211 of PPC states that a person who intentionally initiates a false criminal case or puts false charges on any other person for an offence without any lawful ground shall be punished with imprisonment of 2 years, or fine or both. And he may also be imprisoned for 7 years and fine, if punishment for such falsely charged crime is death, imprisonment for life, or for 7 years or more.</p>			
C (34) (e)	The State party should review school textbooks and curricula with a view to removing all religiously biased content, incorporate human rights education therein and continue to regulate madrasas;	Freedom of religion, conscience and belief	Provincial Governments, Ministry of Religious Affairs, Law and Justice Division, Ministry of Information and Broadcasting, the Council of Islamic Ideology, Ulama Councils and Various Law Enforcement Agencies	<p>- Curriculum in Punjab is being reviewed and revised systematically by making it coherent with aim of social and interfaith harmony. The Board responsible for curriculum development is a statutory body working independently with relevant guidance of the provincial government on important matters.</p> <p>- The Ministry of Human Rights has also initiated Public Awareness Campaign on Human Rights Education and Sensitization under Action Plan for Human Rights, 2016 through Seminars as well as advertisements in print and electronic media. The campaign's target is general public, civil society, researchers, academia, students, government functionaries and different segments of society.</p>	- In its follow-up letter, CCPR committee requests "information on measures taken to review school textbooks with a view to removing all religiously biased content, and on whether the current uniform curriculum is applied in all madrasahs."		- cite follow up letter
C (34) (f)	The State party should fully implement the judgment of the Supreme Court of 19 June 2014.	Freedom of religion, conscience and belief	Provincial Governments, Ministry of Religious Affairs, Law and Justice Division, Ministry of Information and Broadcasting, the Council of Islamic Ideology, Ulama Councils and Various Law Enforcement Agencies	The judgement was announced on June 19, 2014 with the following seven instructions to the government: constitution of a team at a federal level to develop a strategy for promoting religious tolerance, develop appropriate curricula for primary, secondary and tertiary levels of education that promote religious harmony and tolerance, curb hate speech in social media, constitute a national council for minorities, establish a special police force to protect the worship places of minorities, enforce the 5 percent minority quota in government jobs and prompt action, including registration of a criminal case, whenever constitutional rights of religious minorities are violated or their worship places are desecrated.	<p>- The Committee regrets the lack of specific information on the implementation of the Supreme Court judgment of 19 June 2014. The Committee reiterates its request for information and reiterates its recommendation.</p> <p>- The National Commission for Minorities (NCM) was notified in 2014 as per the Supreme Court Judgement, "Justice Helpline &amp; Ors. V Attorney General", but has not been functional. The State should ensure that this notified commission is empowered in a timely manner</p>		<a href="https://globalfreedomofexpression.coluambia.edu/cases/division-on-minority-rights-by-the-supreme-court-of-pakistan/">https://globalfreedomofexpression.coluambia.edu/cases/division-on-minority-rights-by-the-supreme-court-of-pakistan/</a>
C (36)	The State party should review its legislation on data collection and surveillance, in particular the Prevention of Electronic Crimes Act 2016, to bring it into line with its obligations under the Covenant. It should also establish independent oversight mechanisms for the implementation of the Act, including judicial review of surveillance activity; review its laws and practice of intelligence-sharing with foreign agencies to ensure its compliance with the Covenant; review all licensing requirements that impose obligations on network service providers to engage in communication surveillance, particularly in relation to indiscriminate data retention; and ensure that surveillance activities comply with the State party's obligations under the Covenant. It should further adopt a comprehensive data-protection law in line with international standards.	Right to privacy	Ministry of Interior	<p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <p>PECA is fully in line with the Constitution of Pakistan and fulfils obligations imposed by the ICCPR. Article 14 of the Constitution guarantees the right of privacy to every citizen. A detailed mechanism has been provided under section 39 of PECA to ensure an independent oversight mechanism on the implementation of the Act.</p>			

C (38)	<p>The State party should decriminalize defamation, and ensure that imprisonment is never a punishment for defamation and that criminal laws are not improperly used against journalists and dissenting voices. It should also review its legal provisions relating to freedom of expression, including article 19 of the Constitution, the rules applicable under the Pakistan Electronic Media Regulatory Authority (Amendment) Act 2007 and the code of conduct for programmes and advertisements for broadcast media and distribution services, with a view to putting in place effective oversight mechanisms and procedural safeguards and bringing these provisions into line with article 19 of the Covenant. Furthermore, it should promptly and thoroughly investigate all reported cases of harassment, disappearance and killing of human rights defenders, bring the perpetrators to justice and intensify its efforts to ensure a safe and favourable environment for the work of journalists, lawyers and human rights defenders.</p>	Freedom of expression	Ministry of Human Rights/Ministry of Interior/ Ministry of Information and broadcasting/	<p>The Protection of Journalists and Media Professionals Act, 2021</p> <p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b> Ministerial Media Security Committee has been established with the mandate to suggest welfare measures to ensure safety of journalists and media persons. Provincial Governments have been taken on board to strengthen this arrangement.</p>	<p>PECA restricts freedom of expression and suppresses dissent. The amendment, passed on February 18, 2022, criminalizes online defamation of authorities, including the military and judiciary, with harsh penalties. The expanded provisions of PECA include criticism of government bodies and the military, making defamation a non-bailable offense with a maximum prison term of five years. Pakistan Electronic Crimes Act criminalizes legitimate expression and is part of an ongoing crackdown on dissent.</p>	<p>- NCHR is operating a complaint cell for journalists facing human rights violations in collaboration with Digital Rights Foundation (DRF)</p>	
C (40)	<p>The State party should review its legislation on the registration of international NGOs with a view to bringing it into line with article 22 of the Covenant.</p>	Freedom of assembly and association	Ministry of Human Rights/Ministry of Interior/ Ministry of Economic Affairs		<p>The "Policy for Regulation of INGOs in Pakistan," announced on October 1, 2015, will worsen the already deteriorating working climate for international humanitarian and human rights groups.</p> <p>The ministry is broadly empowered to cancel registrations on grounds of "involvement in any activity inconsistent with Pakistan's national interests, or contrary to Government policy" – terms that have vague meanings and can be used for political reasons to target critical organizations or individuals. The new regulations will severely restrict rights to freedom of association and expression for Pakistanis working for INGOS, as well as for foreign nationals. These rights are protected under the Pakistani constitution and international law.</p> <p>The Pakistani government should facilitate the vital work of international groups – not hinder it with overbroad and vague regulations.</p>		<p><a href="https://reliefweb.int/report/pakistan/pakistan-withdraw-repressive-new-ngo-rules">https://reliefweb.int/report/pakistan/pakistan-withdraw-repressive-new-ngo-rules</a></p>
C (42)	<p>The State party should ensure that the minimum age for marriage is set at 18 years for both girls and boys; intensify its efforts to eradicate forced marriage and related harmful practices, including by carrying out prompt and effective investigations of all reported cases and prosecuting those responsible, if appropriate; and ensure that victims are provided with appropriate remedies and rehabilitation services.</p>	Early marriage and forced marriage	Ministry of Human Rights/ NCRC	<p><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <ul style="list-style-type: none"> <li>- Pakistan is in the process of harmonizing its laws to define a child as any human being under the age of 18 years.</li> <li>- The Child Marriage Restraint Act, 2013 in Sindh sets the legal age of marriage at 18 years for both men and women.</li> <li>- The Punjab Government has proposed amending the age of child marriage from 16 to 18 years and imposing stricter penalties for marrying children under the age of 16. <ul style="list-style-type: none"> <li>- Training of marriage registrars (nikkah khwans) has been conducted in 21 districts of Punjab to prevent child marriages.</li> </ul> </li> <li>- The Government of Balochistan has prepared a Bill of Early Child Marriage Prohibition, which is currently under discussion in the Provincial Assembly, aiming to consider a person below the age of 18 as a child.</li> <li>- The Dissolution of Muslim Marriages Act, 1939 allows a child married before the age of 16 to repudiate the marriage before reaching 18 years of age, providing grounds for a decree of dissolution.</li> <li>- The Sindh Child Protection Authority supports preventing marriages under the age of 18 and ensuring protection for those who wish to leave such marriages.</li> <li>- Section 365-B was introduced in the Pakistan Penal Code (PPC) to criminalize acts of kidnapping, abducting, or inducing women to compel them into marriage.</li> <li>- Section 498(b) of the PPC addresses and criminalizes forced marriages to protect women and girls from religious minorities.</li> </ul>	<ul style="list-style-type: none"> <li>- Enact and enforce legislation to raise the legal age of marriage to 18 years for both men and women.</li> <li>- Strengthen penalties for those involved in child marriages to deter such practices. <ul style="list-style-type: none"> <li>- Conduct awareness campaigns and training programs to educate communities and stakeholders about the negative consequences of child marriages.</li> </ul> </li> <li>- Establish mechanisms for reporting and addressing cases of child marriage, providing necessary support and protection to children involved. <ul style="list-style-type: none"> <li>- Collaborate with civil society organizations and international agencies to advocate for the prevention of child marriages and the protection of children's rights.</li> </ul> </li> <li>- Regularly monitor and evaluate the effectiveness of existing initiatives to address child marriages. <ul style="list-style-type: none"> <li>- Allocate adequate resources for the implementation of programs aimed at preventing child marriages and supporting child victims.</li> </ul> </li> <li>- Promote access to education and empowerment opportunities for children, particularly girls, to reduce the incidence of child marriages.</li> </ul>		

C (44)	The State party should intensify its efforts to ensure that all children are registered at birth; identify children whose birth has not been registered and children without identity documents and register them; and raise awareness about the importance of birth registration. It should also take all measures necessary to put an end to child labour by rigorously enforcing the laws on child labour and strengthening labour inspection mechanisms.	Protection of children	Ministry of Human Rights/NCRC/ Ministry of Interior	<ul style="list-style-type: none"> <li>- NCRC Act 2017</li> <li>- Sindh Prohibition of Employment of Children Act, 2017</li> <li>- Juvenile Justice Act 2018</li> <li>- Islamabad Capital Territory Prohibition of Employment of Children Act, 2018</li> <li>- KP Child Labour Policy, 2018</li> <li>- Islamabad Capital Territory Prohibition of Employment of Children Act, 2018</li> <li>- Balochistan Employment of Children Prohibition and Regulation Act, 2020</li> <li>- Notification Banning Child Domestic Labour, 2020</li> <li>- Zainab Alert Response and Recovery Act 2019</li> <li>- Gilgit-Baltistan Prohibition of Employment of Children Act 2020</li> <li>- Juvenile Justice Act, 2018</li> </ul>		<ul style="list-style-type: none"> <li>- NCHR took Suo-Moto action to secure the release of 75 under-trial child prisoners from Adiala Jail.</li> <li>- NCHR Campaign resulted in the notification of the Juvenile Justice Committees under Sec. 10 of the Juvenile Justice System Act 2018.</li> </ul>	
C (46)	The State party should carry out the registration of undocumented Afghan refugees as planned. It should expedite the adoption of national refugee law in compliance with international human rights and humanitarian standards. It should also investigate all allegations of abuse against refugees by the police and security forces, while taking all measures necessary to prevent such abuses.	Afghan refugees	Ministry of Human Rights/ Ministry of interior/ Ministry of Law and Justice/ Ministry of Foreign Affairs	<p style="text-align: center;"><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <ul style="list-style-type: none"> <li>- Pakistan hosts 1.4 million registered Afghan refugees with valid PoR cards.</li> <li>- Refugees have free movement and access to basic amenities and opportunities.</li> <li>- Pakistan documented 84,000 previously undocumented refugees in 2018.</li> <li>- Harassment cases are addressed promptly, and education for refugee children is prioritized.</li> <li>- Pakistan is working with Afghanistan for the dignified return of refugees.</li> <li>- Pakistan follows the non-refoulement principle despite not ratifying the refugee conventions.</li> <li>- Afghan refugees can open bank accounts in Pakistan.</li> </ul>	<ul style="list-style-type: none"> <li>- Consider ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.</li> <li>- Strengthen the legal frameworks for refugee rights in Pakistan and establish clear procedures for determining refugee status within the country.</li> <li>- Enhance the protection and assistance provided to refugees in Pakistan.</li> <li>- Strong liaison must be established between the Prison Administration and the Afghan mission in Pakistan in order to ensure safe and immediate return of these people as stipulated by section 14 B of the Foreigners Act 1946.</li> <li>- Greater sensitivity needs to be shown by the Government authorities. Police must show compassion in the exercise of their power, judiciary may look to ensure the speedy trial of such persons as well. Where sentences are to be awarded, they may be within a minimum time period or they may be token sentences such as being detained until the rising of the court.</li> </ul>	<ul style="list-style-type: none"> <li>- An Afghan couple received refugee status after intervention of Member Balochistan of NCHR.</li> <li>- NCHR team visited Karachi Central Prison to inspect the condition of women and children held at the facility. During the visit, the issue of concern that emerged was the status of detained Afghan nationals, particularly women and children. NCHR developed a comprehensive report based on the findings of this investigation.</li> </ul>	<a href="https://www.nchr.gov.pk/wp-content/uploads/2022/12/The-Plight-of-Afghan-Refugees.pdf">https://www.nchr.gov.pk/wp-content/uploads/2022/12/The-Plight-of-Afghan-Refugees.pdf</a>
C (48)	The State party should review its regime of temporary special measures, including quotas for minorities, to ensure that they apply to all persons belonging to religious, cultural and ethnic minorities and ensure that every citizen, on general terms of equality, is able to effectively participate in the conduct of public affairs and have access to public services. The State party should improve the election system and procedures with a view to ensuring that all voters are included on electoral lists and that all citizens can exercise their right to vote without obstacles.	Right to participate in public affairs	Ministry of Religious Affairs and Inter faith Harmony/ National Commission of	<p style="text-align: center;"><b>According to the second periodic report submitted by Pakistan on 7th December 2022,</b></p> <ul style="list-style-type: none"> <li>- Pakistan has reserved seats for religious minority members in the national and provincial assemblies to increase their political participation.</li> <li>- The job quota for minorities in public services has been increased from 3% to 5% in Khyber Pakhtunkhwa.</li> <li>- The Election Commission of Pakistan (ECP) has taken special measures to register non-Muslims, persons with disabilities, and transgender citizens as voters.</li> <li>- In the 2018 general elections, Hindu candidates were directly elected to the National Assembly and Sindh Provincial Assembly.</li> <li>- The ECP provides a complaints procedure to address any obstacles faced by citizens in exercising their right to vote, and no complaints were filed regarding the exclusion of religious minorities or marginalized groups.</li> <li>- The ECP has introduced a module on "Gender and Elections" in its capacity building trainings to create a gender sensitized environment.</li> <li>- The government has established the National Commission for Minorities and is preparing a National Interfaith Harmony Policy in consultation with stakeholders.</li> <li>- The Ministry of Human Rights is focusing on the protection of minority rights under the National Action Plan.</li> <li>- The ECP has created the Gender and Disability Electoral Working Group (GDEW) to promote the inclusion of women and marginalized groups in the political process.</li> <li>- Efforts are underway to establish a consortium of universities to create youth seats for mobilize women in the electoral</li> </ul>			