

30, March 2017

I. INTRODUCTION

In its second periodic review in 2012, Pakistan had pledged to enact laws against torture and enforced disappearances. To date however, no laws have been enacted; rather, both torture and disappearances are on the rise. Pakistan has earlier been reviewed on its human rights situation twice: during the first cycle for the years 2006 to 2012, and during the second cycle for the years 2012 to 2016. A total of 166 recommendations were received in different thematic areas during the reviews, of which Pakistan accepted 126 and pledged to implement them to improve its human rights situation. Another 33 recommendations were noted and are still pending while remaining 7 were rejected.

1. The rejected recommendations included a proposal to re-impose a moratorium on the death penalty, with a view towards abolishing it; accession to the second Optional Protocol of the International Covenant on Civil and Political Rights (ICCPR); repeal of laws discriminatory towards religious minorities, such as punishments for blasphemy; guaranteeing freedom of religion or belief, expression of opinion for all, including religious minorities; and, decriminalizing adultery in Pakistan. The recommendation on halting operations in Balochistan and investigating and prosecuting those responsible for torture and enforced disappearances in the province also did not gain the support of Pakistan.
2. Despite being a signatory to several international conventions and treaties, and having a plethora of *sin quo non* fundamental rights, the human rights situation in Pakistan is becoming dire. Almost every day nearly all human rights are violated in the country with impunity. The Quetta carnage which resulted in deaths of lawyers speaks volumes about the state resolve to abolish terrorism from the country. The state's ineffective policies regarding terrorism as well as the war on terror have resulted in mass casualties. Between 2012 and 2016, the most serious human rights problems in Pakistan were terrorism, extrajudicial and targeted killings, forced disappearances, and torture, which affected thousands of citizens in nearly all parts of the country.
3. On the civil and political front, Pakistan is particularly vulnerable on rights of minorities, the rights of women, the rights of children, access to justice, independence of judiciary and weak criminal justice institutions.
4. The Reputation Institute in its annual RepTrak index has ranked Pakistan in the list of countries with the worst reputation. Pakistan was ranked as third worst country in terms of international repute, intolerance, religious extremism, and poor foreign relations, followed by Iran and Iraq.

5. The Pakistan government has been groping in the dark to curb the tide of militancy and radicalization. The State's reluctance to target madrassas, the Islamic seminaries that are teeming with militants and their sympathizers, has caused more damage to the cause of counter-terrorism than anything else.
6. While the Army claims that the 2015 inception and execution of operation Zarb-e-Azab has led to a decrease in incidents of terrorism, the latter half of 2016 and beginning of 2017 have seen numerous terror attacks. Furthermore, human rights defenders point to the increase in incidents of torture, disappearances, extrajudicial killings, and arbitrary arrests. Each day thousands of lives are lost due to illegal State action, honour related crimes, violence against women, militancy, and attacks on religious and ethnic minorities.
7. In 2016, terror once again struck Balochistan, killing 63 lawyers, 2 journalists and 32 other persons who were inside a civil hospital, while injuring 120 persons including women and children. The attack is one of the worst massacres to have taken place in Balochistan, Pakistan. Prior to this attack, there had been calls for the military and the government to play a more positive role in suppressing terrorism in the area and to ensure security. However, both the military and the government have failed to take any special action despite the constant reports of violence and disturbances in the area. The government has clearly failed in its duty to protect the legal community and people, and to maintain the rule of law.
8. The World Rule of Law Index has ranked Pakistan at the bottom in terms of order and security-- 113 out of 113, whereas on the scale of fundamental rights Pakistan scored a measly 101; overall Pakistan ranks 106 of the 113 countries surveyed by the Index.
9. Recommendations:
 - a. The State of Pakistan must ensure implementation of the pledges made by it before the UPRs during 2008 and 2012 regarding accession to the second Optional Protocol of the ICCPR, imposition of moratorium on executions with a view towards abolishing it, repeal of discriminatory laws towards religious minorities, such as punishments for Blasphemy.
 - b. State of Pakistan must prioritise country visits by Special Procedures with pending requests
 - c. Ensure timely reporting to Treaty Bodies and responses to communications from Special Procedures, as well as implementation of recommendations made by these mechanisms.

II. FREEDOM OF EXRESSION

10. The state of Pakistan pledged to honor the provision of ICCPR on freedom of expression and has accepted the recommendations made by the following countries during the first and second cycle. Please find the pledges in *Annexure I*.
11. Freedom of expression in the country suffered a severe setback with the promulgation of the Prevention of Electronic Crime Act, 2016. Rights activists view the law as the last nail in the coffin for freedom of expression in Pakistan. Such draconian laws make it impossible for citizens

to express views without fear of repercussion or backlash from law enforcement agencies. Pakistan has become awfully quiet without free speech; more and more voices are silenced by legislation, self-censorship, and intimidation.

12. Furthermore, the impunity granted to those who attack journalists seriously hampers press freedom in Pakistan. According to a report prepared by Reporters Without Borders, the role of non-state groups — often militants such as the Islamic State group (ISIS) — is rising in perpetrating attacks against journalists. In January 2016 alone, two journalists lost their lives at the hands of unknown assailants. The office of a TV channel was also attacked with explosives in the same month and was claimed by ISIS on 13 January 2016. Incidents of threats, attacks, and killings of journalists in Pakistan are clear evidence of how critical the situation has become due to impunity. Pressure and intimidation has forced journalists to adopt self-censorship, particularly in conflict areas.
13. The growing intolerance within the society has made the reporting of truth a culpable exercise. No State institution, be it the Judiciary or the Executive, tolerates criticism, a sign of immature institutions. Many journalists are facing treason charges, and lower courts have issued arrest warrants without hearing them.
14. The country's National Action Plan (NAP), a counter insurgency plan by the civil-military alliance, conceived following the Peshawar army public school massacre, also enunciated curbs on free speech. Originally however, the NAP was tasked to reduce tolerance for hate speech. Many journalists, especially from Balochistan province, find themselves threatened into silence for speaking against Baloch ethnic cleansing.
15. According to Reporters without Borders' freedom index, Pakistan is ranked 159 out of 180 countries. The International Federation of Journalists has cited Pakistan as being the most dangerous country for journalists in the world, with 14 journalists killed in 2014 alone.

Recommendations:

- a. Publicly guarantee the security of all journalists, and ensure full and effective investigations and prosecutions into all cases of threats, attacks and killings of media workers
- b. Remove all provisions in the 2010 PEMRA Bill that run contrary to Pakistan's obligations under the ICCPR and/or threaten freedom of expression
- c. Repeal all bans at the federal or provincial levels that threaten media freedom
- d. Repeal the promulgation of the Prevention of Electronic Crime Act, 2016

III. HUMAN RIGHTS DEFENDERS

16. In consonance with the UN Declaration of Human rights Defenders, Pakistan was recommended to implement measures to ensure the safety and security of defenders in the country. Given the volatile condition of the country, defenders are increasingly at risk for raising their voice against rights violations.

Please find the recommendations from different countries and pledges made by Pakistan
Annexure 2.

17. Due to the worsening climate of fear and intimidation in the country, many activists working for a tolerant, progressive and inclusive Pakistan are forced into submission or have left the country. Human rights defenders are being increasingly targeted for speaking out. Branded traitors and foreign agents, these agents of change are ostracized and blacklisted.
18. The year 2017 began with a crackdown on intellectuals and freedom of expression rights. Five human rights activists, who were staunch critics of state policies, disappeared within a week. All were vocal on social media against state atrocities, particularly those meted out to the people of Balochistan. These bloggers and prominent human rights defenders were picked up from Islamabad within days of each other, and their Facebook pages Bhensa, Roshni and Mochi taken over by the Elite Cyber Force of Pakistan. While they were later released, their disappearances sent a clear message for dissenters to remain silent.
19. The GoP has also failed to invite the Special Rapporteur on human rights defenders to visit the country despite accepting a recommendation to do so.
20. Recommendations:
 - a. Invite the Special Rapporteur on human rights defenders to conduct a country visit urgently
 - b. Ensure reforms to rule of law institutions that include provisions to enable effective investigations and prosecutions of all threats, attacks and other abuses that target human rights defenders, including by the military, intelligence agencies and non-state actors
 - c. Ensure the establishment of a national policy of protection of human rights

IV. HANGINGS/EXECUTIONS

21. Pakistan did not accept any recommendation during the second UPR, although 12 of the suggestions were noted, asking Pakistan to review the death penalty with the intention of introducing a moratorium and abolishing it. The countries suggesting this included UK, Switzerland, Belgium, Australia, UK, Argentina, Uruguay, Namibia, France and Italy.
22. Pakistan has ratified various UN treaties, including the ICCPR, ICESCR, and UNCAT, and pledged on many occasions that local laws will be amended according to its UN obligations. None of the country's laws have been changed however, and instead, the government of Pakistan has blatantly violated Article 6 of the ICCPR by withdrawing the moratorium on executions.
23. Pakistan is believed to have the largest number of death row inmates in the world. According to the government 6,016 prisoners were awaiting execution in October 2015; other estimates are higher however, putting the number close to 8,000. Up to 1,000 people convicted as juveniles are facing execution.
24. Since 2015, the state has executed 433 prisoners on death row, with about 8,000 prisoners set to be executed in the coming years. The moratorium on executions was lifted with the excuse of eliminating terrorism in the wake of the killings of 149 school children. However, not even 30 alleged terrorists have been executed so far, while the rest of the executed persons have not been terrorists and have been denied fair trial.

25. Pakistan's lifting of the moratorium on death sentences while its criminal justice system is mired in corruption and injustice is a complete travesty. Exercising the death penalty in an already intolerant society is clearly a populist move rather than a deterrent to crime and terror. Confessions obtained through torture are the basis upon which the Anti-Terrorism and Sessions Courts are handing down death sentences. Blind to justice and international norms, these Courts have been giving death sentences to minors, as well as the mentally and physically challenged.

Recommendations:

- a. Guarantee the right to life, in line with the provisions of the ICCPR
- b. Ensure the Right to Live and stop death sentences and executions

V. FREEDOM OF RELIGION

During the second UPR, a total of 24 Recommendations were made out of which 16 were accepted while 8 others were noted. Pakistan agreed to cede to the *Annexure 3*.

26. Religious minorities have regularly been hoodwinked into believing that their rights shall be guaranteed and protected by the state. In 2014, the Supreme Court ordered the government to establish a National Council for the Rights of Minorities and set up a special task force. In pursuance to the Supreme Court verdict, the government of Prime Minister Nawaz Sharif has commenced a process to establish the National Council on Minorities' rights. However, contravening the terms of reference, no stakeholders, such as representatives or minority groups themselves were consulted. Religious minority groups have termed such a move as undemocratic and unethical. To date the commission is yet to be formally established.
27. State bias and prejudice is apparent in the judicial and administrative attitude towards the Ahmadis, Christians, Hindus and Hazara Shias, with the beleaguered communities made to suffer incessantly for their beliefs and denied promotions and jobs in State Departments. They are not even allowed to openly profess their beliefs; their properties and even graves are not exempted from being vandalized by fundamentalists. The State does not intervene to protect the life or property of citizens belonging to minority groups, despite its obligation to protect all citizens. According to a report on the persecution of the Shia minority presented by Jinnah Institute, 1,900 Shias were killed in various violent acts between 2012 and 2015.¹
28. In Sindh province, minorities suffer the wrath of the majority with full impunity from the state. Hindu women are abducted and forcibly converted to Islam, while Christians suffer under the blasphemy law, a law in contradiction to the ICCPR. Churches, temples and other places of worship are routinely destroyed. In Pakistan, no one is free to go to their place of worship other than the Sunni Muslim majority, and even they go to their mosques under the threat of terrorist attacks.

¹ <http://www.shiitenews.org/index.php/pakistan/item/23585-pakistan-where-shias-are-now-being-persecuted-more-than-1200-killed-in-3-yrs/23585-pakistan-where-shias-are-now-being-persecuted-more-than-1200-killed-in-3-yrs>

29. In a number of cases of forced conversion, the Judiciary has failed to protect the interests of the minorities. In the case of Rinkle Kumari for instance, the Supreme Court judge congratulated the perpetrator of forced marriage and termed the action a great service to Islam.
30. Despite a lapse of 69 years, religious minority communities of the country lack representation in mainstream politics. Minorities are not granted rights on equal footing with the majority. The Constitution itself is greatly biased against religious minorities, as Articles 41 and 42 limit the post of President, the Prime Minister and the Speaker of National Assembly to Muslims.
31. After the Constitutional Amendment Bill 2014, minorities were given the right to dual vote by virtue of an Amendment in Article 51, Subsection 6. Despite the gains in political participation, minorities find themselves marginalized from the decision-making processes and are unable to fully represent minority communities. For instance, there was no representative from the minorities amongst the 27 members of the Parliamentary Constitutional Reforms Committee, set up for the recent 18th Amendment.
32. **Recommendations:**
 - a. Ensure effective protection of religious freedom by investigating and prosecuting all allegations of religious discrimination and violence, including by punishing members of the authorities who acquiesce with or fail to act to prevent such abuses
 - b. Implement legislation to halt the practice of forced conversion to Islam of women through rape and forced marriage
 - c. Ensure a review of the blasphemy law to bring it in line with the ICCPR.

V. TORTURE

33. There was an overwhelming call for Pakistan to expedite the legislative process to curb torture and other ill treatment during the first cycle of review. Seven countries called for the ratification of UNCAT: Please see *Annexure 4*
34. Despite its obligations under UNCAT to enact an anti-torture law, the Pakistani government has been dragging its feet in promulgating such an Act. The AHRC has been very vocal on the conspicuous absence of the law, and has been lobbying for enactment for quite some time. Sadly, due to the lack of political will, the Bill has not received presidential consent. The Bill against custodial torture has been pending before the National Assembly since 2015, where the ruling party, PML-N, despite a two-third majority, has resisted putting the bill up for even a discussion. It is said that the security establishment does not want to pass an anti-torture law. Though the Senate has passed the anti-torture Bill, it cannot be implemented till both the houses pass it.
35. Torture is a systematic tool of oppression in the country where fundamental rights are a luxury afforded only to those who fall on the right side of the state. The Punjab police is notorious for its ill treatment of detainees belonging to religious minorities. Many death row inmates have accused police of extracting confessions through third degree torture. Torture is a norm that is the beginning and end of judicial process in Pakistan, causing travesty and miscarriage of justice that

in extreme cases causes death of innocent men like Ghulam Brothers,² who were hanged despite their appeal pending in court.

36. Police custody, legally custody of the state, should constitutionally and ideally be the safest place for individuals, and yet, for citizens in Pakistan, it is the most dangerous place. Deprived of all their constitutional rights, the alleged accused is at the mercy of his/her captors. Political interests and personnel vendettas often make use of the police to subdue opponents. The purpose of torture is therefore not only obtaining information, but inculcating fear.

37. Recommendations:

- a. Criminalise torture under domestic law, in line with international law and standards
- b. Ratify and implement the OPCAT
- c. Ensure effective, independent investigations into all allegations of torture
- d. Invite the Special Rapporteur on torture to conduct a country visit as a priority

VI. ENFORCED DISAPPEARANCES

During the second UPR Pakistan was pressed to enact laws to outlaw enforced disappearances and to take concrete measures to ensure the practice is abolished. Despite accepting eight Recommendations to that effect, Pakistan has to date not enacted any such law. Please find the pledges made by Pakistan at *Annexure 5*

38. A Working Group on Involuntary and enforced Disappearances (WGEID) team visited Pakistan in 2012 and made a report on its visit and discussions with various stakeholders including victim families but still did not find follow-up on the recommendations of WGEID. The team termed enforced disappearances at the hands of military intelligence agencies as a 'heinous crime', and demanded that Pakistan show 'zero tolerance' in stopping the practice. The Working Group has time and again emphasized that under article 3 of the Declaration on the Protection of All Persons from Enforced Disappearance, the State must take effective measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction.

39. The disappearances, extrajudicial killings, torture in custody and arbitrary detentions, have been given legal and constitutional coverage by the government. Through the Pakistan Protection Ordinance (PPO), amendments in the Anti-Terrorist Act, 1997, and also the formation of military courts for summary trials, law enforcement agencies have been given unbridled powers to make arrests, keep persons in incommunicado, and shoot on sight.

40. Despite having accepted recommendations to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CPED), this has not yet been done, despite continued reporting of numerous disappearances.

41. The courts, for their part, have become redundant. In the context of disappearances and extrajudicial killings, even courts have no say with respect to those tortured by the military or

² <http://www.humanrights.asia/news/ahrc-news/AHRC-STM-166-2016>

paramilitary. The military and Pakistan Rangers can keep detainees for 90 days in physical custody, as authorised by the latest draconian laws.

42. In September 2015, the government of Pakistan admitted to having arrested 9,000 people from Balochistan in 2015 under the National Action Plan. However, rights groups fear that the number of disappeared persons in 2015 could have been higher. The Voice Baloch Missing Persons (VBMP), an NGO documenting data of missing persons, claims that 18,000 persons are missing since 2001 in Balochistan alone.
43. The judicial inquiry commission for missing persons released its report for the year 2016, which states that 1,276 persons are still missing. Of these 1,276 persons, 65 were traced to be in the custody of law enforcement agencies. Enforced disappearances erode the structure of equity and human rights that form the basis of justice systems throughout the world. The State must take notice of mounting international calls for the release of innocent victims, and to present those found guilty before the court of law.
44. The Sindh High Court expressed its concern over the increasing number of missing person cases in Karachi and directed the federal and provincial governments to make efforts for finding missing people. The court observed that over 400 petitions had been filed for finding missing persons, but there no positive steps were taken (by the government) to address the grievances of the petitioners; 2017<https://www.thenews.com.pk/print/190024-Piling-missing-persons-cases-in-Karachi>.
45. The judicial inquiry commission for missing persons released its report for the year 2016, which states that 1,276 persons are still missing. Of these 1,276 persons, 65 were traced to be in the custody of law enforcement agencies. Enforced disappearances erode the structure of equity and human rights that form the basis of justice systems throughout the world. By providing impunity, the State has itself become party to the murder of its citizens, denying them the right to fair trial and due process. The rule of law is severely undermined when the State becomes adversarial against its own citizens. The State must take notice of mounting international calls for the release of innocent victims, and to present those found guilty before the court of law.
46. According to unofficial sources, particularly from the different NGOs working on enforced disappearances, during the last nine months of 2016 about 693 persons were missing following arrest by uniformed or plain clothed persons. From Balochistan – 390; Sindh – 73; FATA – 98; Khyber Pakhtoon Khuwa province (KPK) – 74; and from Punjab - 58.
47. **Recommendations:**
 - a. Pakistan must be asked to ratify immediately the UN Convention against Enforced Disappearances.
 - b. The act of enforced disappearances must be criminalized in Pakistani law in line with international law and standards.
 - c. Ensure the government legislate to make the International Convention national law and implement the International Convention and accept the competency of the Committee on Enforced Disappearances.

- d. The State must be asked to Investigate and prosecute those responsible for denying the victim the right to a fair trial.

V11. CRIMINAL JUSTICE SYSTEM

48. The criminal justice system has completely collapsed and the state appears to be in no hurry to fix the system. Instead of developing the country's criminal justice infrastructure and the most important function of the state, the government has outsourced the entire judicial process to the military. This is the third time that military courts have been established citing unusual circumstances; however, this is the first time that military courts were established through a constitutional amendment to silence any dissent from the Supreme Court.
49. A major demand/ recommendation during the first cycle of the UPR was the reinstatement of judges ousted by military dictator General Pervaiz Musharaff. Although the judges were restored, the judiciary was not strengthened as an independent institution. The second cycle recommendations called on Pakistan to reform the judiciary:

Please see *Annexure 6*.

50. Instead of making wide scale reforms in policing, the criminal justice system and witness protection, the government is putting all the blame on the judiciary for its failure to convict terrorists and release them for want of evidence.
51. The present military courts were established after making an amendment in the Constitution, and the Pakistan Army (Amendment) Act, 2015 provides that the military shall now have the jurisdiction to court-martial militants who are "claiming or are known to belong to any terrorist group or organization using the name of religion or a sect". The state has again passed an amendment to continue with military courts for further two years.
52. The government has thus created a parallel justice system. Not only is it against the right of fair trial, as provided in ICCPR Articles 14 and 16, it is against the fundamental right of fair trial and due process as enshrined in Article 10A of the Constitution of Pakistan. The principal of *salus populi suprema lex esto* (the welfare of the people shall be the supreme law) has been abused to pass arbitrary laws citing necessity.
53. The criminal justice system in Pakistan is known to be faulty, exploitative, and inequitable with a low conviction rate, between 3-7%. Furthermore, miscarriage of justice has increasingly been reported in the media. In 2016, the case of the Ghulam brothers surfaced, where two brothers were exonerated of all charges a year after they were hanged. Similarly, in another case reported in 2017, the Lahore High Court found a man, Syed Rasool³ not guilty of murder and ordered his release. The Court wrote a letter to his family informing that the prisoner was acquitted in the murder case; the family replied that he had died of a heart attack in 2014 during his detention.

³ <http://nation.com.pk/national/02-Feb-2017/lhc-acquits-death-row-prisoner-two-years-after-his-demise>

Such travesty has become a norm in Pakistan, where many endure more years behind bars than their crime warrants, as they cannot afford a lawyer or finance bail.

54. Given the lack of access to justice and free legal aid, the criminal justice system becomes adversarial for the victim. It is incumbent upon the state under Article 37 (D) of the Constitution to provide legal aid to the poor, as well as under Article 19 of the ICCPR. The State should invest more in legal aid, to ensure and aid dispensation of justice to all. Access to justice is a fundamental human right and should not be denied to the marginalized and underprivileged factions of society.
55. There is widespread corruption in the country's lower judiciary, interference by powerful groups in the course of justice, and courts' inability to hold the military and intelligence agencies accountable.

56. Recommendations:

- a. Ensure the abolition the military courts and parallel justice system in the form of Jirgas. Articles 14 and 16 must be implemented in true spirit
- b. Ensure effective investigation of all allegations of obstruction of due process and the course of justice, including the creation of delays to court processes, which puts persons in detention, or instills fear seeking justice at the risk of attacks and/or death.
- c. Establish an effective, independent and well-resourced mechanism empowered to investigate and launch prosecutions concerning all allegations of corruption involving state officials, with particular focus on the police and judiciary, ensuring punishments that are in line with international standards are handed down to all persons found responsible

VII. EXTRAJUDICIAL KILLINGS

57. The provinces of Balochistan and Sindh bore the brunt of extrajudicial killings in 2015. In Baluchistan, where the military's Frontier Corps and Rangers are conducting military operations, tortured and bullet-riddled bodies of Baloch missing persons are found daily. No credible statistics exist however, due to the media blackout, with journalists and independent observers barred from visiting the area. In Sindh province as well, military and paramilitary forces are conducting operations against political workers and nationalists. Many Sindhi nationalists have suffered inhuman torture and were killed in custody. On 3 May 2016, a senior political activist, Mr. Aftab Ahmed, working for the fourth biggest parliamentary party, MQM, was extrajudicially killed while in Rangers' custody. He ostensibly died due to a heart attack, but his body bears evidence of torture, including burns. Several workers of the nationalist group Jeay Sindh Muttehdha Mahaz (JSSM), have disappeared and were later extrajudicially killed by law enforcement agencies. The Sindh police has been using a new torture technique, colloquially called 'half fry full fry', whereby the alleged accused are killed or maimed for life. Extensively reported, the practice has horrified civil society activists.
58. Maintenance of state writ and rule of law cannot be used as an excuse for enforced disappearances or extrajudicial killings under any circumstances. Furthermore, a complete media blackout is enforced upon mainstream media, with journalists threatened and harassed for reporting from Balochistan. The media clampdown has violated citizens' right to know, and has further alienated

the ethnic Balochs. The state narrative fed to the mainstream media barely scratches the surface of the real problem.

59. Recommendations:

- a. Guarantee the right to life, in line with the provisions of the ICCPR and domestic law, including taking all necessary measures to ensure that all allegations of extra-judicial killings are promptly and effectively investigated and prosecuted with particular attention given to cases of extra-judicial killings following forced disappearances.
- b. The Pakistan Protection Ordinance must be abolished as it allows law enforcement agencies to shoot suspects at sight with impunity.
- c. Drastic reforms are required in investigation and prosecution to stop extra judicial killings.

VIII. WOMEN'S RIGHTS

60. A total of 57 recommendations were accepted during the first and second cycles, calling upon the state to enact and implement women friendly laws upholding human rights and dignity.

Please see *Annexure 7*.

61. In a country where 52 percent of the population suffers sexual and domestic violence, intolerance and extremist behaviours are only to be expected. Pakistan's media reports daily abuse against women: burning alive, burying alive, mauled by dogs, honour killings, acid throwing, and physical torture. While proudly claiming its place in a nuclear club among the world's powerful states, Pakistan remains silent on the growing medieval practices against women and children.

62. On 24 February 2016, the Punjab Assembly passed the Punjab Protection of Women against Violence Act (PPWA). It is the first of its kind, a law that provides rehabilitation and justice for women who are victims of domestic abuse, emotional or psychological violence, verbal abuse, stalking and cybercrime. The law has attracted the ire of the orthodox clerics and the Council of Islamic Ideology (CII), who have termed the Act to be against the injunctions of Islam and have vowed to use all mediums to oppose the Act. Under pressure from fundamentalist groups the government has kept the Act in cold storage.

63. Official statistics released by Pakistan's Federal Education Ministry gives a desperate picture of education, especially for girls. They report an overall literacy rate of 46%, and girls literacy at 26%. Independent sources and educational experts are skeptical of these statistics. They estimate the overall literacy rate at 26% and the rate for girls and women at 12%, contending that the higher figures include people who can handle little more than a signature. There are 163,000 primary schools in Pakistan, of which merely 40,000 cater to girls. The situation is the most critical in rural areas of Khyber Pakhtunkhwa and Baluchistan, where the female literacy rate stands between 3 and 8 percent. The primary school completion rate for females is 66%, and for males it is 77%, according to a World Bank report.

64. Pakistan ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1996, but it has not adopted any legal framework for translating its provisions to domestic laws. For instance, while CEDAW requires that 33% of seats in parliament be held by women, the proportion in Pakistan was only 21% in 2014, according to the World Bank. Similarly, the National Police Bureau shows that one in a hundred police officers in Pakistan is a woman.

65. Even with the enactment of several laws protecting them, the women of Pakistan continue to suffer from State neglect and apathy. According to the World Economic Forum's (WEF) Global Gender Gap Report 2016, Pakistan ranks as the second-worst country in the world for gender inequality, for the second consecutive year. Pakistan is also the worst performing state in South Asia and has been so for the last couple of years. The Report found that the gender parity in terms of health education, economic opportunity, and political empowerment between the genders has been deteriorating. Pakistan's ranking in the Economic Participation and Opportunity and Education Attainment indexes have not changed since 2015.

66. Recommendations:

- a. The state must play an active role to ensure that women are able to realize the rights enshrined in Pakistan's constitution, and to honour the remarkable women who have played their part in breaking barriers and living up to their potential.
- b. The State must enact legislation and policies to encourage a more inclusive, gender-equal society where women and men's contributions are valued equally. Private entities can play an important role in creating an inclusive flexible work culture where gender parity is encouraged.

IX. SLAVERY/LABOUR RIGHTS

A total of three recommendations were made that called upon Pakistan to implement the existing labour laws and ensure that work place hazards are minimized. The countries that made the recommendations included the following:

Please see *Annexure 8*.

67. Pakistan ranks third in the Global Slavery Index. A weak rule of law, widespread corruption and poverty reinforce political, social and economic structures of modern slavery in Pakistan. Bonded labour is most common in the brick kiln sector, with the provinces of Punjab and Sindh having the majority of kilns. The government has a limited response to modern slavery.

68. Around 2.3 million brick kiln workers all over Punjab are subjected to a bonded labor system. They are denied their basic fundamental rights, including social security and the Minimum Wage Award of July 2013, i.e. Rs. 740 per 1,000 raw bricks made. Workers are paid only Rs. 400 per 1,000 raw bricks. They are victimized due to their just demand for constitutional and legal rights.

69. By virtue of *Darshan Mashih vs. State (1990)* the Supreme Court banned bonded labour as unconstitutional. Subsequently, the Bonded Labour System (Abolition) Act, 1992 was promulgated and enacted. However, despite the enactment, the law was not implemented in earnest.

70. Recommendations:

- a. Ensure that government of Pakistan abolish Bonded labour
- b. The state must adopt labour legislation and align it with the provisions of ILO

