



Sindh Human Rights Commission
Government of Sindh

Strategic Plan

2017- 2021

Agenda
Responsibilities
Child Rights
Needs
Gender based Law
Implementation
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Strategic Plan 2017- 2021



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Chairperson's Note

Four years after the establishment of the Sindh Human Rights Commission, it gives me great pleasure to present the first five-year Strategic Plan of the Commission for the period 2017-2021.

The need for a formal Strategic Plan was felt as the Commission, formed by the Sindh Government in 2013, has established itself as a key stakeholder in implementing the human rights agenda in the province of Sindh. Though the Commission, since its formation, spent much of its time in pursuit of requisite support to conduct its regular operations, today its active role in addressing the cases of violation of human rights and its contribution in expanding the scope of human rights agenda in the province is well acknowledged.

The Strategic Plan is being pursued in the backdrop of the Commission's realization of numerous challenges in terms of the human rights situation in the province of Sindh. Given the fact that the Commission, despite being a State body, has to stand as an independent entity addressing deficits in human rights for the citizens of the Sindh province, it is important that the vast mandate of the Commission is channeled into an organized structure to effectively deliver on its functions.

A Strategic Plan guiding the actions of the Commission was therefore a necessity. To develop the plan, we pursued a systematic process that involved gathering of inputs from key stakeholders from all across the province. These outlined the priority areas that the Commission should focus on. There were four consultations in Karachi, Hyderabad, Umerkot and Sukkur in the months of February-March 2017. The stakeholders' inputs also gave directions on spaces for engagement and suggested actors that could be partnered with.

Following the consultative process and based on studies undertaken to review the functioning of national human rights institutions of other countries, the Commission marked five priority areas for engagement as a part of the Strategic Plan. These include:

1. Addressing human rights violations;
2. Human rights education;
3. Institutional development;
4. Review of legislative framework from a human rights perspective;
5. Compliance of international obligations on human rights.

Focusing on these areas does not mean that the Commission will backtrack from the issues and sectors that fall outside the range outlined in the Strategic Plan. The Commission will continue to pursue all its functions, particularly its most important job, i.e. taking up of violation of human rights cases, by way of *suomo to* action or responding to applications, as per mandate of the SHRC. As the Commission also seeks to introduce amendments to the Sindh Protection of Human Rights Act 2011 (details in a separate chapter), it is hoped that a stronger response and improved investigation mechanism to address human rights violations cases will be operationalised in coming days.



On a concluding note, the Commission cannot emphasize enough its commitment to its responsibility to pursue promotion and protection of human rights, in every way provided for by the Sindh Protection of Human Rights Act 2011, and entrusted to it by the government, the provincial assembly and most importantly, the people of the province.

The Commission would like to extend gratitude to The Asia Foundation for supporting the development of the Strategic Plan. The SHRC values TAF's partnership and commitment to support human rights institutions and hopes that this collaboration yields fruitful results.

**Justice (R) Majida Razvi,
Chairperson, Sindh Human Rights Commission**



Vision and Mission of the Commission

Vision

“To create a society free of violence, extremism and have an environment of peace, interfaith, harmony and justice.”

Mission

“To protect the fundamental human rights enshrined in the Constitution of the Islamic Republic of Pakistan, 1973, and the Universal Declaration and Charter of the United Nations.”

The Mission of the Commission can be realized by:

- Providing for speedy investigation and redress by driving state machinery to respond to violation of human rights;
- Mainstreaming human rights awareness and education;
- Bringing all state legislation, policies, institutions and actions in conformity with human rights obligations enshrined in the constitution and international treaties and conventions ratified by Pakistan;



Background

The Sindh Human Rights Commission was established on 9 May 2013 after the promulgation of the Sindh Protection of Human Rights Act 2011 by the Sindh Assembly. The Commission's formation was an outcome of the Sindh Government's commitment to human rights outlining it as an important consideration for the future of Sindh.

The Commission has been functioning for four years now. The mandate followed by the Commission is described in the Sindh Protection of Human Rights Act 2011. This centre around the themes of addressing human rights violations, taking proactive measures to pursue the human rights agenda and promoting public discourse to mainstream human rights.

Structurally, the Commission is led by a Chairperson and supported by six members. As per the Sindh Protection of Human Rights Act 2011, the qualification for the Chairperson of the Commission is retired judge of the High Court, while that of members is District and Sessions Court judges (two members) and Members Provincial Assembly (two members). Two more members are drawn from the civil society.

As per law, the Chairperson's and members' terms span three years. The current Chairperson Justice (R) Majida Razvi is serving her second term as the Commission's head.

The Commission is currently staffed by a basic staff responsible for administration work while a Gender Equity Project staff comprising a Manager, Advocacy and Communication Officer, a Researcher and Admin/Accountant is responsible for implementing the project activities.

Powers and Mandate of the Commission

The Sindh Protection of Human Rights Act 2011 outlines the powers and functions of the Commission as:

- (i). Inquire, *suo moto* or on a petition presented to it by a victim or any person on his/her behalf, into complaint of: (a) violation of human rights or abetment thereof; (b) negligence in the prevention of such violation, by a public servant;
- (ii). Recommend to Government the remedial measures including action to be taken against the persons involved in violation of human rights;
- (iii). Formulate, implement and regularly update policies with a view to protect human rights;
- (iv). Visit, under intimation to Government, any jail or institution under the control of Government where persons are kept or detained or admitted for purpose of treatment, reformation or protection to see the living conditions of the inmates and make recommendations thereon;
- (v). Review the safeguards provided by or under the Constitution or any law for the time being in force for protection of human rights and recommend measures for their effective implementation;
- (vi). Study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (vii). Undertake and promote research in the field of human rights;
- (viii). Spread human rights literacy among various sections of society;



- (ix). Promote awareness of the safeguards available for protection of human rights through print and electronic media, seminars and other available means;
- (x). Encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
- (xi). Publish or cause to be published the various policies, details, data and information relevant to the affairs of the Commission on a regular basis and ensure reasonable access of the public to the same;
- (xii). Appoint such officers and staff as may be necessary for carrying out the purposes of this Act, subject to the approval of Government; and
- (xiii). Shall perform such other functions necessary for protection of human rights, as may be prescribed.

Budget Structure

The Commission receives grant-in-aid from the Government of Sindh. This is a non- regular (non-annual) system of disbursement that has so far mainly supported the salaries of the Commission's Chairperson and the members, and the regular running of the office. The Commission draws support from short-term projects to pursue its mandate. Major activities undertaken by the Commission including conferences, consultations, workshops, research reports and annual reports have all been funded by short and medium-term projects undertaken by the Commission.

Activities

Human Rights Violations Cases: Since its establishment, the Commission has undertaken upto now around 400 cases of violation of human rights with a formal mechanism for inquiries and follow ups. Nature of the cases broadly include: Gender-based violence, violation of minorities rights, capital punishment, rape, murder, kidnapping, missing persons, illegal land/property possession, hospitals' mistreatment of patients, mistreatment of mentally ill persons by family, child physical abuse, illegal tree cutting, power shortage, and water supply complaints, among others.

Over 200 cases have been concluded as these have either reached the courts or a formal police investigation (for criminal cases) has been launched. The SHRC, as per its mandate, has also submitted recommendations for a number of cases.

Visit to Jails, Hospitals and Government Facilities

Following its mandate to visit jails, Darul Amans and hospital, review human rights conditions and present reports, the Commission has undertaken visits to all major districts of Sindh. These include: Hyderabad, Thatta, Badin, Sujawal, Nawabshah, Sanghar, Khairpur, Sukkur, Shikarpur, Jacobabad, Kandhkot, Ghotki, Larkana, Dadu, Mirpurkhas, Umerkot, and Tharparkar. The Commission has visited local hospitals, jails and Darul Amans in all these areas. Relevant reports of the conditions prevalent in the institutions visited have been filed with the authorities.

Review of Laws

The Commission is currently consolidating researches and reviews on laws aimed at addressing gender-based violence. These include:(i) Criminal Law (Amendment) Act, 2004 (pertaining to honor crimes); (ii) Protection of Women (Criminal Laws Amendment) Act, 2006 (pertaining to rape); (iii) Criminal Law (Amendment) Act, 2010 (pertaining to sexual harassment); (iv) Protection Against Harassment of Women at the Workplace Act, 2010; (v) Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011 (pertaining to forced marriages in the name of custom]; and (vi)The Acid Control and Acid Crime Prevention Act, 2010.



In the course of the last four years, the Commission, led by Chairperson Justice (R) Majida Razvi, has participated in processes to provide input on a number of laws. These include:

- The Sindh Hindus Marriage Act, 2016
- The Sindh Minorities Rights Commission Act, 2015
- The Criminal Law (Protection of Minorities) Act, 2015
- The Sindh Child Marriages Restraint Act 2013
- The Sindh Hindus Marriage Act, 2016
- Prevention of Electronic Crimes Bill (PECB) 2015

The focus of the Commission in the law-making processes has been to ensure that provisions adhere to human rights values given the restrictions inherent in the local context.

Documentation

The Commission, as a matter of principle, makes specific efforts to document all its work. Reports and notes of all meetings are maintained. Database of human rights violation cases taken up by the Commission is also being maintained. The Commission has brought out three annual reports (2013-14, 2015 and 2016) accessible on the Commission's website.

Projects

Institutional Strengthening of the Sindh Human Rights Commission

In 2016, the Commission launched a project *Institutional Strengthening of the Sindh Human Rights Commission* under the Gender Equity Program supported by the USAID and Aurat Foundation. The project involves follow up of human rights violations cases with focus on gender-based violence, a series of fact finding missions, consultations on gender-based laws, researches on the gaps in implementation of gender-based laws, and a review of the Sindh Protection of Human Rights Act 2011 for possible amendments for efficient functioning of the Commission.

In the last four years, the Commission has organized a number of activities to mainstream human rights discourse. These have been pursued by way of collaborations with civil society and support agencies. Key activities include:

- Multi-Stakeholders Conference on GSP+ Monitoring and Compliance (Jan 2015);
- Follow up Multi-stakeholders Conference (April 2015);
- Training of 100 Public Prosecutors and Law Officials (September 2015);
- Capacity Building Workshop on Human Rights Compliance Reporting (Jan 2016);
- Three Legal Policy Advocacy Seminars (March and Sept 2016, and February 2017);
- Two major consultations to review pro women legislation (July and August 2016);
- Event to mark the International Human Rights Day (December 2016).

The Strategic Plan

As SHRC moves from the inception phase of its normal journey, the Chairperson and members have felt the need to undertake a review of the performance of the Commission and develop a Strategic Plan to guide their actions in the coming five years. The main objective behind preparation of the plan is to undertake focused interventions on human rights, guided by the mandate outlined in the Sindh Protection of Human Rights Act, 2011, in addition to a thorough understanding and analysis of the human rights situation in the province. Moreover, rising public expectations from the Commission and a focus of the international community on Pakistan with respect to GSP+ status also demand that



human rights commissions, while dispensing their regular duties, follow a strategic direction so that they deliver according to their mandate more effectively.

The Strategic Plan has been prepared by incorporating a consultative approach. This involves at least four consultations held in four major districts of the province, in addition to one-on-one interviews with key stakeholders. References have also been drawn from the past consultations by the Commission. The focus of these consultations has involved understanding regional situation of human rights, opportunities for intervention and suggestions/inputs by key stakeholders (experts in their respective areas) on future direction of SHRC. The consultations were organised in Hyderabad, Umerkot, Sukkur and Karachi. Minutes of these Consultations are filed.

In addition, the Strategic Plan also draws from review of secondary data available on human rights situation in the province of Sindh. A thorough review of socio-economic and political conditions of the province, in the backdrop of the national context was felt necessary so that the Commission's future actions can be crafted accordingly. A list of opportunities and challenges impart the areas offering scope for the Commission to expand and restrictions that prevent the Commission from effective realization of its human rights agenda.

The plan also lays out the future thematic and institutional direction of the Commission drawn out from the discourses mentioned above.

It is hoped that the Strategic Plan will provide a concrete guideline to the Commission to pursue its mandate to effectively clamp down the violation of human rights in the province of Sindh while also proactively working to expand access to rights for all in the province.

Methodology

The preparations of the Strategic Plan were undertaken from February – April 2017, involved the following methodology:

Secondary Desk Research: A thorough review of existing strategic plans for human rights institutions, recent research reports, newspaper articles, NGOs documentation, parliamentary documents pertaining to socio-economic conditions and political developments of Sindh. This desk research has been utilized in many sections, particularly in the Situation Analysis section and Challenges and Opportunities section of the Strategic Plan document.

Consultations: Four consultations, one each in Karachi, Hyderabad, Umerkot and Sukkur were pursued in February-March 2017. These consultations involved participation of parliamentarians, civil society actors, government officials, police officials, members of judiciary and bar councils, activists and general public. The consultations were designed to draw inputs from experts from the above mentioned sectors regarding their review of the Commission's work, its role in the context of the emerging realities of the Sindh province and future aspirations. The inputs drawn from these consultations provided very important guidelines for the framework of institutional developments and strategic areas for intervention for the Commission.

Background Discussion: A number of informal interviews were also pursued with key stakeholders separately. These included the SHRC Chairperson, members of civil society, legal experts and human rights activists. Material drawn from these discussions formed the basis of the consultations that were pursued for the Strategic Plan.



Human Rights in Sindh: A Situation Analysis

The Sindh province has an estimated population of 46.9 million, living in 29 districts.¹ The rural-urban population settlement has undergone major change in the province in recent years. Shrinking agriculture economy, lack of employment opportunities and public service deficits, especially in healthcare and education in the rural areas are the major reason behind the phenomenon of high rate of urbanization in the province.²

There is broad consensus that factors such as poor access to education, healthcare, sanitation, and safe drinking water has brought down the socio-economic indicators of the province.³ The picture on access to rights also point to the need for major undertakings on institutional reforms and a stronger commitment to rights and justice. Gender-based violence, alleged enforced disappearance, extra judicial killings and fake police encounters are regularly reported in the media. organized crimes in urban and rural areas, though registered a decline in recent years, continue nevertheless. Honour killing or Karo Kari, forced conversions, bonded labour and child labour, attacks on religious minorities, terrorist attacks and lack of health and education facilities all constitute human rights violations.

Economy and Human Development

According to Multidimensional Poverty Index report prepared by the Pakistan Government's Planning and Development Department, 75 percent of the population in rural areas of Sindh are multi-dimensionally poor (also stands for headcount of poor) The Multi-dimensional Poverty Intensity, or the average percentage of dimensions in which poor people are deprived, for rural Sindh is 54.9 percent.⁴ Despite being the most industrialized province in the country, the agriculture sector is the biggest employer of labour in Sindh. However, agriculture is declining, contributing 17 percent to the province's GDP today compared to 34 percent in 1970s.⁵ The growth in the provincial economy is attributed to the services sector, followed by the industrial sector.⁶

In a population of nearly 22 million from agricultural households, the 2000 Agriculture Census counts less than a million ownership holdings. With more than half the holdings being smaller than 5 acres, the vast majority of Sindh's population holds barely above 10 percent of land.⁷ This is despite more than 70 percent of rural population deriving their livelihoods from agriculture, livestock, forestry, and fishing. Poor households, deficient in alternate livelihoods skills and resources, largely find work in the informal sector and local service centres.

¹Economic Survey of Pakistan 2015-16, (Population, Labour Force and Employment), Table 12.7

²<http://www.pwdsindh.gov.pk/about-us/welcome-note.htm>

³ Development Statistics of Sindh 2013, Sindh Bureau of Statistics

⁴Multidimensional Poverty in Pakistan, Planning and Development, UNDP & the Oxford Poverty and Human Development Initiative (OPHI), 2016

⁵ Ishrat Husain, The Economy of Sindh: 1972/73 – 2012/13, Concluding Keynote Address at the 2nd International Seminar on "Sindh through the Centuries" held on March, 26, 2014

⁶Ibid.

⁷ Aly Ercelan, "Land for Secure Life", Pakistan Institute of Labour Education and Research, 2013



Access to Basic Services and Human Development

Over 29 percent of province's school going population is out of school, a number higher than the tribal areas of Pakistan.⁸ State-run healthcare services also struggle to match the expansion in population and needs. Only 69 percent of children have been fully immunized compared to the national average of 78 percent.

The Thar crisis is a reflection of the inadequacy of healthcare facilities in underdeveloped areas. Infant mortality rate stands at 81 per 100,000 births and maternal mortality rate is at 314 per 100,000. The same figures for Pakistan are 78 and 276 respectively.⁹ As manifested in the recent humanitarian crisis in Tharparkar, the state of malnutrition in the province is extremely high. According to the National Nutrition Survey, only 28 percent of the households have food security. The rate of stunting in the province is 70 pc.¹⁰

Sindh is Pakistan's second most populated province growing at a rate of 2 percent per annum. One in five women continue to have an unmet need for contraception.¹¹ As noted by the Sindh Population Policy 2016 document, there was a slow decline in the Total Fertility Rate (TFR) from 5.1 births (in 1990-91) to 3.9 births (in 2012-13) as against the target of 3.37 births for the same period (2012-2013) in Sindh. In order to meet Sindh's Family Planning 2020 goals, Sindh produced the country's first Costed Implementation Plan (CIP) in 2015. The province has also approved a comprehensive population policy and there has been substantial budget increase for population planning in recent years.¹²

The situation of access to fresh groundwater, the principal source of drinking water, is grim. While about 80pc of the Punjab province has fresh groundwater, in Sindh, less than 30pc of groundwater is fresh. Fifty six percent of the total irrigated land in the province is affected by salinity.¹³

In terms of housing too, rural Sindh has the highest percentage of population i.e. 30 percent living in one room accommodation. This is again compared to Punjab at 26pc, Khyber Pakhtunkhwa at 18pc and Balochistan at 15pc.¹⁴

Gender disparity, both in terms of access to social services as well as cultural norms, is acute. This is reflected in the higher out-of-school ratio for girls, as well as in other indicators. Age old tribal traditions, including honour killings and violence against women continue to exist in the province.

Law and Order

Access to justice is a fundamental right and Pakistan's Constitution guarantees it to all citizens under articles 4 (due process) and Article 10-A (right to fair trial). The deficits in the legal system, evident in poor policing, investigation and judicial systems result in marginalization and exclusion of the poor and

⁸ "Out of School Children In Sindh: Looking at Access & Equity", ASER, Annual Status of Education Report 2011 at http://aserpakistan.org/document/aser_policy_briefs/2011/Out_of_School_Children_in_Sindh_Looking_at_Access_and_Equity.pdf

⁹ <http://www.trfpakistan.org/LinkClick.aspx?fileticket=M7wrtgDtju8%3D&tabid=2403>

¹⁰ <http://www.dawn.com/news/687006/food-insecurity-highest-in-sindh-survey>

¹¹ Policy Brief: "Boosting Family Planning Access in Pakistan," January 16, 2017 at <http://www.healthpolicyplus.com/PakistanFeature.cfm>

¹² 2016 FP2020 Annual Commitment Update Questionnaire Response at http://ec2-54-210-230-186.compute-1.amazonaws.com/wp-content/uploads/2016/12/FP2020_2016_Annual_Commitment_Update_Questionnaire-Pakistan_DLC.pdf

¹³ Aslam Jarwar, "Using saline groundwater for aquaculture", July 14, 2014

<http://www.dawn.com/news/1119126>

¹⁴ Pakistan Social And Living Standards Measurement Survey (PSLM) 2012-13 Provincial/District



promote alternate Jirga system.¹⁵ The latter is known for passing inhuman judgments, especially compromising the rights of women and children.

Law and order challenges in Sindh originate from political polarization, ethnic divide, underdevelopment and absence of proactive measures to engage citizens for a positive state-society relation.

Facing a tough law and order challenge, a military operation led by paramilitary Rangers was launched in Karachi in 2013. Prior to the operation, the extent of the security problem could be gauged from the fact that the Karachi city had seen 3,000 law and order related killings in year 2011-12 alone.

The 2013 operation was directed at four heinous crimes of target-killing, kidnapping, extortion and terrorism. The Rangers were given the authority to lead the operation while police and the federal and provincial intelligence agencies were designated to support them. Rangers were also equipped with the power of prosecution and investigation.¹⁶ The Rangers powers were later extended to the entire province of Sindh.¹⁷

A performance report released by Rangers on December 29, 2016 stated that murders and targeted killings in the city were an all-time low in the year, with 87 people falling victim, compared to 199 in 2015. The number of incidents of sectarian violence decreased from 30 in 2015 to 19 in 2016.¹⁸

While this success has been highlighted by the media, there is also a viewpoint that draws attention to the absence of due legal process resulting in grave violations of human rights after the start of military operation in Karachi. According to HRCP's State of Human Rights in 2015 report, 2,018 men and seven women were killed through police encounters across the country. In Sindh 829 men, one woman and six minors were killed in police encounters. In Karachi, 696 people were killed in encounters.¹⁹

Enforced disappearances of political workers are also reported frequently in the media. From 2011 to 2016, 1,010 cases of missing persons were reported from Sindh.²⁰

At the time of the start of military operation against criminals in Karachi, it was announced that an Operation Monitoring Committee would be formed. However, the committee has still not been established.²¹ Later, the government in October 2015 announced to form a Grievance Redress Committee with MQM members on it, but it was also not formed.²²

The issue of impunity to such acts further reinforces the sense of marginalization and exclusion among the diverse population of the province.

¹⁵Understanding the Informal Justice System: Opportunities and Possibilities for Legal Pluralism in Pakistan, Naveed Ahmed Shinwari, Community Appraisal and Motivation Programme, 2015

¹⁶Dawn, 5 September 2013, <https://www.dawn.com/news/1040496>

¹⁷Geo News, July 15, 2016, <https://www.geo.tv/latest/109477-Rangers-extend-Karachi-Operation-to-other-parts-of-Sindh>

¹⁸ South Asia Terrorism Portal, Sindh Assessment report, weblink:

<http://www.satp.org/satporgtp/countries/pakistan/sindh/index.html> (accessed on March 7, 2017)

¹⁹ State of Human Rights in 2015, HRCP

²⁰ "728 added to list of missing persons in 2016", daily Dawn, January 24, 2017

²¹ "Karachi operation: MQM welcomes monitoring committee", daily Express Tribune, November 8, 2013, weblink:

<https://tribune.com.pk/story/629330/karachi-operation-mqm-welcomes-monitoring-committee/>

²² "Federal govt forms committee to redress MQM's grievances", daily Dawn, October 16, 2015



Gender Based Violence

According to a document of the Ministry of Law, Justice and Human Rights submitted to parliament, 8,648 incidents of human rights violation were reported in the country between January 2012 and September 15, 2015. These included 90 incidents of acid burning, 72 of burning, 481 of domestic violence, 860 honour killings, 344 rape/gang rapes, 268 sexual assault/harassment, and 535 cases of violence against women.²³

Gender based violence prevails in both rural and urban areas. According to HRCP 2015 report, total 146 FIRs were filed in domestic violence cases in 2015. No FIRs were filed in another 146 cases. Seven hundred and forty seven FIRs were filed in sexual violence cases, and no complaint was filed in 44 cases. Eighty eight of the victims were filmed while being sexually abused and the videos were used by the perpetrators to further harass the victim. In kidnapping cases, 209 women were recovered, while 53 were not found. No information on the status of the victim was available in another 490 cases.

The Acid Survivors Foundation conducted a study titled 'Situational Analysis on Acid Violence, 2015', in collaboration with the National Commission on the Status of Women (NCSW). The situational analysis revealed that from 2007 to June 2015, there were 1,231 victims of acid violence in the country and 1,004 acid attacks were reported. About 31 percent of the victims were men and the rest were women falling in the age bracket of 17-30 years. 40 cases of acid violence were reported in Sindh.²⁴ In a consultation organized by HRCP in October 2015, it was revealed that 98 percent of acid attack cases were not decided due to ambiguities in the existing law.²⁵

According to the HRCP Report 2015, over 1,096 women were killed in the name of honour killing in Pakistan.²⁶ It is to be noted that despite two laws, Criminal Law (Amendment) Act 2004, and 2006, and Criminal Law (Amendment) (Offences in the name or pretext of Honour) Act, 2016, there has been no let up in cases of honour killings. In Sindh, there has been increasing reports of honour crimes from all parts of the province, against the impression that the crime is limited to northern parts of Sindh only. More and more cases are being reported from areas such as Thar and Laar and even from urban settlements like Karachi and Hyderabad.²⁷

Challenges to Minorities Rights

Approximately 94 percent of the Pakistani population is Muslim, where as the remaining 6 percent are Hindus, Christians, and others, which are considered as religious minorities. Hindus are found in all four provinces of Pakistan but are mostly concentrated in Sindh.²⁸

In Sindh, the Hindu community has repeatedly flagged concern of kidnapping of the community girls and forced conversion. The most consistent trend is: when parents file a kidnapping case with the police, the abducted girls are produced in the courts where the alleged kidnappers produce Nikah Nama and a certificate from a religious school or Madressah verifying that the girls have embraced Islam and entered into the marriage on their own will. In such cases, mostly girls are handed over to

²³"Over 8,500 human rights violations reported in 20 months", Dawn, Sep 30, 2013 at <https://www.dawn.com/news/1046467>

²⁴ Ibid

²⁵ "State of Human Rights 2015, Human Rights Commission of Pakistan

²⁶ State of Human Rights in Pakistan 2015, HRCP

²⁷ "Karachi police arrest man for gruesome 'honour killing' of sister", daily Dawn, April 28, 2016

²⁸"Population Distribution by Religion, 1998 Census" (PDF). Pakistan Bureau of Statistics. Accessed December 17, 2017, weblink: <http://www.pbs.gov.pk/sites/default/files/other/yearbook2011/Population/16-16.pdf>



their husbands. Around 1,000 cases of forced conversion are reported every year, mostly from Sindh and Punjab provinces.²⁹

The Provincial Assembly of Sindh passed a law against forced conversion of religion in November 2016, which was widely welcomed by minorities groups and human rights activists. However, before it could become an Act, it was sent back to the Sindh Assembly for a review and revision after severe objections by religious political parties. Sindh government later announced that the law against forced conversion will be revised to make it acceptable for all sections of the society.³⁰ So far the revised version of the law has not been presented in the house.

In other areas, intimidation of minorities continues in the form of kidnappings, harassment, community evacuation etc.

Jirga System

The jirga/panchayat system has been practiced in the region since the Mughal era. In the colonial times, it acted as an alternative to the complex legal system. After independence, the system continued as parallel justice system functioning in different parts of the country.

Jirgas constitute elites of the community deputed to act as the apex body on conflict mediation at the community level.³¹ The members are not elected, as the authority mostly comes from hereditary privilege. Neither are they trained on legal or adjudicatory matters. The proceeds and decisions have no representation of the poor and women.³²

In Pakistan, jirgas are functioning in all four provinces. There are two types of jirgas; the one is legal jirga of tribal areas with decisions challengeable in the High Court and the other is illegal in the form of panchayat held by feudal lords having absolute decision making powers.³³

The major victims of the non-representative character of proceedings and decision-making in jirga are women. One of the most inhuman practice is of wani/swara/exchange of women as financial compensation come from jirgas. Cases of violence against women are also promoted as jirgas are known to order honour killings and settle honour crimes related disputes by instituting compromises that prevent the course of justice for the victims.

The Sindh High Court banned the Jirgas in 2004. However, there has been no stop to jirgas and the arbitrary decisions reinforcing injustices. There are reports of police protection to jirga meetings. Absence of action to stop the enforcement of jirga decisions and expand the outreach and effectiveness of the mainstream legal system by way of reforms is a major cause of a compromised access to justice.

²⁹ Editorial "Forced Conversion", daily Dawn, December 17, 2016

³⁰ "Sindh govt decides to review bill on forced conversion", daily Dawn, December 17, 2016, <https://www.dawn.com/news/1302797>

³¹ "Women, Violence and Jirgas," National Commission on the Status of Women(NCSW) 2016, Islamabad, Pakistan at [http://af.org.pk/gep/images/publications/Research%20Studies%20\(Gender%20Based%20Violence\)/NB%20NCSW%20JIRGAS.pdf](http://af.org.pk/gep/images/publications/Research%20Studies%20(Gender%20Based%20Violence)/NB%20NCSW%20JIRGAS.pdf)

³² Ali Shan Shah, Shahnaz Tariq, "Implications Of Parallel Justice System (Panchayat and Jirga) on Society", ASIAN Journal Of Social Sciences & Humanities, Vol. 2 No. 2 May 2013

³³ Ibid



State of Labour rights

The Sindh province has passed several progressive legislation on labour. This includes extension of the right to unionization to agriculture workers by way of the Sindh Industrial Relations Act (SIRA) 2013, Sindh Bonded Labour System (Abolition) Bill, 2015 to end bonded labour in the province and the Sindh Prohibition of Employment of Children Act, 2017 addressing child labour. The minimum wage board is also functional, upgrading minimum wages every year. The minimum wage currently stands at Rs 15,000.

In terms of implementation, there are deficits that prevent realisation of labour rights. Improvement in the extension of social protection too needs to be worked on. Only 680,000 workers, out of the labour force of 14.07million in Sindh have been registered by the Sindh Employees Social Security Institute.³⁴ As noted by the Labour Force Survey 2013-14, access to minimum wage and non discriminatory wages (for men and women working at similar positions) is also not taking place, with women earning one third of the income earned by men.

Human Rights Legislation in Sindh

The Provincial Assembly of Sindh consists of 168 members including 9 members from minorities, while 29 seats are reserved for women.³⁵

Under the 18th Amendment in the Constitution, the Federal Legislative List has been revised and Concurrent Legislative List abolished. As a result, 53 subjects rest with the federal government, 18 subjects with the Council of Common Interests (CCI) and remaining subjects have gone to the provinces.³⁶

Following the 2010 devolution process, federal ministries of culture, education, environment, health, labour and manpower, local government and rural development, minorities affairs, population welfare, social welfare and special education, sports, tourism, women development, youth affairs, Zakat and Ushr were abolished and provincial assemblies were empowered to make the laws on these subjects.³⁷ During first five years after the 18th Amendment (from April 10, 2010 to March 2015), the Sindh Assembly passed the highest numbers of laws, that is, 133. These include a number of laws related to human rights³⁸

Institutional Mechanisms

The state mechanism to oversee human rights violations in the country involves parliament, federal government and provincial government. At the federal level, there is a Ministry of Human Rights with a minister in the federal cabinet. National Assembly has a Standing Committee on Human Rights and upper house Senate has a Functional Committee on Human Rights. The parliament has formed the National Commission for Human Rights (NCHR), which is independent and answerable only to the parliament.

There are several national human rights institutions in place as well with provincial offices, such as the National Commission for Human Rights; the National Commission on the Status of Women

³⁴ Annual Labour Status Report, PILER 2014

³⁵<http://www.pas.gov.pk/index.php/faqs/listfaqs/en/13>

³⁶Five Years Of The 18th Constitutional Amendment: Lessons Learnt, Milestones Achieved, Development Advocate Pakistan, Volume 2, Issue 1, UNDP, April 2015

³⁷ Ibid

³⁸ Ibid



(NCSW).Also, the Provincial Ombudsman (The Protection against Harassment of Women at the Work Place) is in place and functioning.

There are seven departments concerning human rights, attached to the ministries. At the provincial assembly level, a Standing Committee for each department exists. These include Law, Parliamentary Affairs and Human Rights Department;n Labour and Human Resources Department; Minorities Affairs Department; Population Welfare Department; Rehabilitation Department; Social Welfare Department and Women Development Department.



Opportunities and Challenges

Drawn from the situation analysis, as well as an assessment of the organizational capabilities, SHRC, by way of an internal discussion, has marked the following areas as opportunities and challenges. These cover the broader environment as well as the Commission's own internal realities.

Macro Level Opportunities and Challenges

Opportunities

Active judiciary: Lately, the judiciary has been seeking to become increasingly responsive to public demand for access to justice. There has been modernization of processes and trainings and inductions to expand the service delivery capacity of the judiciary along the lines of efficiency. This is in addition to increasing media spotlight on the conduct of the institutions of justice. The SHRC sees it as an important development that may assist in enhancing realisation of rights for the population of Sindh.

Support from civil society: The SHRC has received immense support and encouragement from civil society organizations and individuals that see the Commission's establishment as a step towards a pro-rights environment. These organizations and individuals have walked alongside the Commission in its four years journey, advocating for a functional set up and even partnering with and supporting SHRC to reach out to wider public. SHRC sees this support as critical to its work. This also offers opportunity for SHRC to benefit from the pool of experts attached to civil society organizations. Because of the outreach of civil society to far and wide corners of the province, SHRC has found increased access to the victims of human rights violations. SHRC is also able to track and monitor developments through civil society focal persons across the province. A formal partnership will certainly assist the Commission in making its service delivery system more efficient and accessible for the people of Sindh.

Media: It needs to be added that the support of the media is also important. The SHRC has been reviewed positively by the media and there has always been generous coverage of the Commission's activities. It is because of the consistent engagement with media that the communities have a better understanding of SHRC's roles and functions. The SHRC feels that continuation of this support will add to the Commission's strength.

An informed and mobile public: With time, the public of Sindh has become increasingly mobile, aware and engaged ,using available means of communication. In the past four years, a much greater number of cases received by the Commission have come from the rural and less developed areas of Sindh, compared to the city of Karachi, where the Commission is based. People are also looking at state institutions for effective redressal of grievances and SHRC is seen as an important actor in this regard. One of the critical achievements of the Commission in the coming years would be to make its set-up more accessible to public and speed up service delivery through efficient response to human rights violations cases. Reaching out to public to mainstream human rights education would also be an important goal.

Challenges

Governance and capacity deficits: The Sindh province, because of its particular political, economic and social dynamics, has struggled much with structural and governance deficits. These deficits are reflected in spheres ranging from funds allocation, to funds utilization, human resource capacities to management of institutions. The resultant negative environment created out of poor service delivery on the part of the government further reinforces lack of trust and sense of distress concerning public



institutions. The SHRC sees this as an important challenge in the way of the implementation of rights for the people of Sindh.

Absence of implementation mechanisms for laws: There has been series of pro rights legislation development that makes the province of Sindh stand out as a socially progressive legislator. As explained above, the Sindh Assembly has taken the lead on legislation on domestic violence, child marriage, Hindu marriage, forced conversion and now on the minorities' commission. However, when it comes to establishing necessary mechanisms and structures to implement these laws, there is a huge gap. Many laws remain unaccompanied by the necessary rules of business. Commissions and structures stipulated in legislation are seldom established.

As the SHRC's experience has been, in many cases, the police is hardly aware of the new law or its mechanisms and continues registration of cases under old laws. This is a serious concern and much impedes the realization of rights through progressive legislation.

Institutional Level Opportunities and Challenges

Opportunities

Suo Moto Powers: There are important aspects to the powers and functions of the Commission outlined in the Sindh Protection of Human Rights Act 2011. Firstly, it provides an important power to the Commission to take *suo moto* action on cases of human rights violations. This enables the Commission to initiate a process of inquiry on any nature of human rights violation case (as per the definition of human rights in the Constitution of Pakistan). As the law (copy attached in annexure) authorizes the Commission to conduct an inquiry, even summoning public officials if need be, and recommend action against persons (and public officials) involved, the Commission can make a meaningful intervention by bringing the state machinery into action to address a given case.

Response from Relevant Authorities: The Act provides "recommendatory powers" to the Commission. There has been a debate on how well these recommendatory powers serve the Commission in fulfilling the purpose of addressing human rights deficits in the province. Based on the Commission's own experiences, there has been encouraging (though slow) response to the Commission's recommendations from the relevant authorities. These powers, nevertheless, have helped the Commission in establishing itself as a voice to safeguard the rights of the people.

Review of Laws: Another area that equips the Commission to make a powerful intervention in Sindh's rights landscape is the review of laws, The Commission's powers allow the SHRC to:

- (v) Review the safeguards provided by or under the Constitution or any law for the time being in force for protection of human rights and recommend measures for their effective implementation;
- (vi) Study treaties and other international instruments on human rights and make recommendations for their effective implementation;

The mandate to undertake a review of laws and share recommendations accordingly empowers the Commission to express a strong human rights agenda in the legislative direction pursued by the provincial assembly of Sindh. The Commission pursues a consultative process and works in collaboration with experts in the area of the review of legislation. The support of civil society organizations is also critical as they promote Commission's recommendations in their course of work. This adds strength to the Commission's efforts.



Challenges

Recommendatory Powers: The Commission's recommendatory powers and the absence of a mechanism to evoke a response or follow up from the relevant authorities risks waste of Commission's time and efforts gone into conducting inquiries into human rights abuse cases. As there is no legal binding on the authorities to respond to the SHRC's recommendations, there have been times when the Commission has not even received an acknowledgement of its correspondence. The amendments proposed in the Sindh Protection of Human Rights Act 2011 have been developed keeping in view the need for addressing this deficit.

Shortage of Skilled Staff: As SHRC's funding comes in the form of grant-in-aid, which is an irregular flow of funds for the Commission's operations, it is difficult to offer permanent position to skilled and expert staff at competitive market rates. The Commission has to depend on short-term projects to execute components of its annual work plan. Though this approach has largely worked in the Commission's favour so far, a set of competent professionals working as full time/regular staff may add more strength to the SHRC's efforts to pursue its mandate. Staff, in terms of strength and competence in skill set is particularly needed for the office dealing with cases of human rights violations.

Deficits in law: The Commission is regulated by the Sindh Protection of Human Rights Act 2011. Broadly speaking, the law gives the Commission a powerful mandate to execute interventions in human rights violations cases, and review laws, policies structures and government services from human rights perspective. However, there are various deficits in the law that impede the Commission to realize an impact of its actions. Last year, the Commission initiated a review of the Sindh Protection of Human Rights Act 2011. The amendments were drafted by way of a consultative process. The Commission is working with legislators to formally pursue the process of introducing amendments to the law. It is hoped that there would be a quick response to this action, otherwise the Commission will have to continue working with a restrictive structure.



Thematic Areas Flagged in Consultations

To develop the Strategic plan, the Commission organized consultations in four divisions of Sindh: Hyderabad, Umerkot, Sukkur and Karachi. The aim of the consultations was to solicit inputs from government officials, civil society, NGOs, activists, academia, media, members bar councils, and member general public on the future direction for the human rights commission of the province of Sindh. The agenda of the consultations also included a session on human rights challenges of that particular region.

These consultations were held in the months of February and March 2017.

Key themes identified by the participants in these consultations are being listed below:

Crimes Against Women

- Domestic violence and violence against women were pointed as key issues facing women all across Sindh. Based on local experiences, participants in Umerkot consultation noted that registering an FIR is strictly refrained from in cases of violence against women, especially honour killings. This is why it is difficult for the police to proceed even if the case is otherwise clear;
- In Sukkur, the new trend is refusal from parents to acknowledge and identify the body of the killed daughter. Due to poor access of ID cards, it is easy for parents to even go to the extent of saying that they never had a daughter in the first place. It was pointed out that at least 15-20 women's bodies have been found dumped in the local river in recent times. As their bodies are thrown in water, much of the evidence regarding their killing is washed away. When the police find the body, they send it to the Edhi Centre. No investigation is conducted;
- SHRC's attention was repeatedly drawn to the issue of marriage in exchange for money. The Commission was informed that in Umerkot, young girls are married off to older men in exchange for money. In Sukkur, police receives a number of cases pertaining to the tradition of "dewath". Their in-laws then prevent them from meeting their families, causing conflicts.

Child Rights

Child Protection

- All consultations unanimously highlighted the deficits in child rights in the province. Access to education, health and development has been noted to be extremely compromised. Despite the legislation on free and compulsory education for the children of the province, no measures have been taken for implementation;
- It has been noted with great concern that the Child Protection Authority in Sindh is yet to be made functional, although a formal budget has been allocated for the purpose. This is a major compromise on the rights of the children of the province. In many instances, the Social Welfare Department and the Child Protection Unit (which was until recently supported by UNICEF programmes and stands dysfunctional after UNICEF's withdrawal), refer abandoned children to Edhi Centre etc, outsourcing their responsibilities to non-governmental organizations. This is a grave deviation from state's responsibility to protect its citizens;
- The situation of child protection is rather grim in the Sindh province. A representative Sahil organization cited recent report that places Sukkur at the top on child rights violations.



Child Marriage

- It has been noted that since the Child Marriage Restraint Act 2013, the police has become swift in action against child marriages. However, the practice continues. Due to the loopholes in the related law, it has been observed that the person marrying the child often manages to escape the course of law.
- It was pointed out that there are problems in the police report of cases of underage marriage. These cases are mostly registered in B or C class, making it easy for the culprits to find a way out of the situation;
- It was noted that the early marriage law does not fully address the issue as there is confusion regarding the validity of the marriage if the nikah has already taken place.

State of Schools and Out-of-School Children

- At least 6 million children are out of school in Sindh, as indicated by various reports on state of education in the province;
- According to local civil society, the state of education in Umerkot is very poor. Hundreds of government schools are dysfunctional. Private schools are also performing very poorly. They charge high fees, but they do not even offer functional washrooms;
- The attitude of teachers was pointed out as a cause of concern. Teachers are completely unaccountable for the way they treat children. It was suggested that teachers should also undergo a psychological review to assess if they are fit to teach;
- It was pointed out that there is a large majority of out-of-school children in Sukkur and Larkana. This is because of dysfunctional government schools. They are in such dilapidated condition that parents do not prefer sending their children to those schools;
- It was also highlighted that out-of-school children are exploited for sexual abuse. There are a number of mini cinema houses in Sukkur where these children are exploited;
- Moreover, the use of gutka is very common, especially among the youth.

Access to Civic Facilities

Drinking Water:

- Poor quality of water is the biggest issue faced by the population of Sindh. SHRC was repeatedly urged to devise a strategy to play its role in addressing the issue;
- Lack of access to clean drinking water and sanitation is the root of all illnesses. Participants in Umerkot consultation informed that a recent test of water in the district revealed high level of arsenic content in the water being supplied to the district;
- Water availability is still an issue in the region. Women have to walk several kilometers to fetch water. Many of the water treatment plants present in cities are dysfunctional.

Public Services:

- Government schools and hospitals are in bad condition. A participant in the Karachi consultation shared that Walika Hospital in SITE, Karachi has had cases of surgical operations, mostly for child delivery, infecting patients with Hepatitis due to non- compliance with hospital safety procedures;
- Provision of public utilities, especially the performance of the private corporations involved in electricity supply was consistently highlighted across all four consultations;



- There exist areas, even in the most developed regions of the province, such as Karachi, where access to electricity and water has still not been made. This speaks of inequitable development for the citizens of the province.

Law and Order and Access to Justice

Police:

- Police's negative role in arbitrary detention as well as raids was brought up. It was pointed out that police conduct raids and demolishes entire settlements (goths). A case was pointed out about police forcefully evacuating a building housed by the local community (poor class) in alliance with builders to construct a new development in Karachi;
- It was pointed out that extra judicial killings happen under the alleged direction of high officials of the police. Reference was made to the Human Rights Watch report that cites police officers' admission to the practice of faked encounter killings, owing to pressure from higher command or local elites.³⁹
- It was proposed that the SHRC should play a role in depoliticisation of the police and empowering the authority of the institution so that the police can act independently in restoring law and order in the province.

Missing Persons:

- The issue is becoming extremely serious. There have been a number of arbitrary detentions in recent days, causing much distress to families. The SHRC needs to play a role in addressing the issue;
- Local activists shared that there were reported cases of missing persons in Sukkur (detained without information). These are mainly people from nationalist groups, religious parties/groups and political workers. An activist named Zakir Bozdar was detained 7 months ago. He was later released and detained again. Eye witnesses informed that a police vehicle had come to pick him. His dead body was returned to the family in a coffin a few days later;.
- There was frustration over the continuous rise in missing person cases. Participants at all consultations strongly noted that those detained need to be presented before the magistrate, rather than having their fate decided by the police.

Under Trial Prisoners:

- The Commission was advised to play a role in implementing jail reforms. Advocate Faisal Siddiqui flagged this issue in the Karachi consultation. He shared that the Sindh Province has 15,000 prison population. There are no records of under trial prisoners (UTPs) and the terms served by them. He mentioned a report, published a few years back, stating that half the UTPs have already served their sentences and are still awaiting conclusion of trial.⁴⁰ It was also noted that people are languishing in jail because of non-payment of fine/bail money;
- There is opportunity for the Commission to address this issue, using its powers to develop a record of UTPs, time spent in prison and their current status. Those who have already served their sentences can be released by way of the Commission's interventions.

³⁹"This Crooked System" Police Abuse and Reform in Pakistan, Human Rights Watch, September 2016, available at <https://www.hrw.org/report/2016/09/25/crooked-system/police-abuse-and-reform-pakistan>

⁴⁰An International Crisis Group report Reforming Pakistan's Criminal Justice System 8 (2010) cited in "Delay in Trial: Empirical Evidence from the Magistrates' Court in Karachi" states that out 18,234 housed in Sindh's jails, only 2,641 were convicts. Many prisoners are kept under trial for periods which are longer than the sentence for the crime under which they have been accused. Available at <http://webcache.googleusercontent.com/search?q=cache:Xuszq-JplFkJ:co.lao.org.pk/wp-content/uploads/2014/09/Delay-in-Trial-September-05-2016Final-for-Printing.pdf+&cd=8&hl=en&ct=clnk&client=firefox-b-ab>



Legislation Follow up:

- A trend regarding progressive legislation unaccompanied by support mechanism to implement the law was also pointed out. As an example, the recent legislation on DNA test for rape cases was highlighted. Despite the legislation, no such procedure is taking place. Moreover, when women survivors go to police stations to make complaints, there are no women friendly structures to facilitate them. They are asked difficult questions by male police officers and the whole environment discourages them from speaking up openly about the crime;
- Participants pointed out that the Commission also needs to take note of the fact that though rights based laws are being passed by the Sindh Assembly, no budget is set aside for the implementation of these laws.

Access to Legal Rights:

- It was pointed out that public's access to justice institutions is extremely compromised because of the high cost of litigation. Participants in all consultations urged the SHRC to consider intervention in restoring Human Rights Cells in the Sessions Courts (functioning earlier). These cells had delivered very positive results on addressing human rights violations cases;
- False FIR filed on political basis is also an issue faced by sections of population. There is unnecessary delay in addressing/reversing false FIRs.

Development

- In the backdrop of the massive infrastructural development, supported by China led investment, issues of repercussions, especially environmental impacts were also brought up. Absence of a consultative process to execute this development has also created discontent;
- Experts pointed out that SHRC should make use of the provision of its power "review the safeguards provided by or under the Constitution or any law for the time being in force for protection of human rights and recommend measures for their effective implementation", present in the Sindh Protection of Human Rights Act 2011 and review related policies to address violation of rights;
- It was also pointed out that the conditions of the affectees of infrastructural development need be addressed. For example there has been no rehabilitation plan for those who are being removed from spaces allocated for the Karachi Circular Railway. There is no right to housing. It was suggested that SHRC should look into the resettlement plans for those displaced by developmental schemes;
- Owing to the politics of land acquisition and the bids to develop a parallel zone for the elites, the rights of the local people have been extremely compromised. Those living at the outskirts face evacuations and demolition of their decades old settlements. Such acts, especially when executed by the Law Enforcement Agencies, severely violate human rights;
- Participants at all consultations expressed discomfort at the negative propaganda against those who raise reservations over CPEC. They said that people exercising their right to freedom of expression on CPEC are targeted and are called anti-state.

Gutka and other drugs/narcotics

- It was suggested that the Commission should become involved in extending a crackdown on gutka and other spurious substances. Sheesha and steroids offered at gyms is equally harmful for the health of the citizens;
- For the Mainpuri and Gutka Bill 2009 Bill presented by former MPA Humera Alwani, it was proposed that the law should make gutka manufacturing a non bailable offence.



Tribal Clashes

- Because of the tribal culture and the weak writ of the state, tribal clashes are very common in the region. This is particularly true for areas around Shikarpur, Jacobabad and Ghotki. This also facilitates extremism in the region as tribal and conflict areas have been turned into no go areas. The SHRC was advised to play a role in restoring the writ of the state in the no-go zones while also help addressing issues from a human rights perspective.

Labour Rights

- There is no legislation on women in agriculture. The Commission should play its role in recognizing women's role in agriculture and their access to fair wages;
- Bonded labour is common in Sindh. Related laws have never been implemented. Police only releases bonded labour when the court orders them. The law calls for District Vigilance Committees, but they are not functional. Deficits in tenancy tribunals are also an issue.

Other issues

- Access to CNICs , passport, and other documents related to citizenship for disabled persons;
- Air pollution in cities;
- Poor public transport, including shortage of buses in towns;
- Bad condition of roads was cited as a major hindrance to mobility;
- Absence of facilities related to playground and vocational centres for youth development;
- Some of the participants also pointed to the flaws of the Benazir Income Support Programme. Technical issues and absence of technical knowledge prevents the beneficiaries from accessing their due installments;
- The presence of unregistered laboratories is a major cause of spread of HIV cases among the local population. The issue needs urgent attention;
- Understaffing or poor staffing along with absentee staff at local government hospitals;
- The Commission was urged to look into the cases where because of a court petition or a suo moto notice by court followed by a stay order, the rights of parties involved are compromised;
- The plight of Pakistanis seeking refuge in other countries was also highlighted in consultations. The SHRC was advised to work with international organizations focusing on refugees and address this issue;
- The Commission was advised to conduct a research on the impact of jirgas and their decisions on women's human rights;
- Special attention needs to be paid to the transgender community. There is limited awareness of their rights. This needs to be addressed by the SHRC.

Institutional Strengthening of SHRC

Suggestions by participants in four consultations:

- The Commission was advised to follow three to five major issues rather than expanding its focus on a variety of issues for efficient use of its time and resources;
- It was suggested that the SHRC and all actors supporting the Commission should make efforts to move the Commission's financing from grant-in-aid to annual budget;
- Participants also suggested that the SHRC establishes its offices at district level. It was also suggested that if budget constraints prevent setting up offices at district level, then the SHRC can consider establishing offices at the divisional level;



- The subcommittees being established by the Commission need to be given appropriate powers. They should include district departments and police representatives. They should be empowered to execute action in case of human rights violations;
- The Commission needs to connect at the grassroots level, so that human rights issues are addressed effectively;
- The Commission should include in its agenda a series of workshops on human rights for the district government officials so that their actions can be in line with the principles of human rights;
- The SHRC should be directly linked with the Human Rights Cell of the DIG office in all divisions of Sindh;
- The Commission also needs to monitor labour department and other departments responsible for rights implementation;
- The Commission can be made party to public interest litigation on rights. This shall add to the powers and strength of the Commission to support execution of actions favourable to human rights;
- Sindh Assembly has promulgated a number of progressive legislation. The Commission was advised to undertake training and sensitization sessions to spread knowledge and understanding of these laws. These sessions should be conducted with NGOs, other members of civil society, activists and general public;
- There is also need for training sessions on mechanisms available to address human rights violations in the province. This would help grassroots civil society organizations to play a more effective role in responding to human rights gaps at a local level;
- The Commission should focus on the issues of the marginalized section of society including minorities, women, and migrants;
- The SHRC should focus on its role of reviewing all legislation from human rights perspective. It should also monitor if Pakistan is meeting its human rights obligations under the international treaties and conventions ratified by it;
- The SHRC should work on developing a counter narrative to extremism.



Priority Areas of Interventions

This section is drawn from the consultations conducted in the course of the development of the Strategic Plan, in addition to earlier consultations and interactions with experts, civil society members, public representatives, academics and members general public.

The Commission chose these themes because these broadly describe its overall powers and functions. Protection of human rights is to be realized through addressing cases of violation of human rights, enhancing capacities of related institutions, individuals and enablers to effectively undertake related actions on human rights, and through reviews of laws and legislation, and compliance on international obligations. Promotion of human rights is to be realised through raising public awareness on human rights and creating a pro-human rights environment through engagement with a variety of stakeholders. Following these categories, the priority areas are described below:

Promotion of Human Rights

Training of law officers, police and other relevant members of government on human rights as well as the Commission's mechanisms

There is broad consensus that the law enforcement agencies, police, prison officials, and medico-legal officers require consistent up-gradation of knowledge and skills on human rights. Deficiencies in human rights education is reflected not only in public dealing of these entities, but also in the way investigation and handling of cases take place.

A number of research studies have pointed out how a discouraging attitude of police – the first door to access to justice - dissuades public from approaching them to register cases. Other reports specifically highlight how important cases such as those related to honour killing or rape are destroyed because of poor understanding of human rights mechanisms to protect the rights of the victims. Same is the case with prison officials. During the SHRC's visits to jails, various observations were made about the poor maintenance of prisons and the inhuman attitudes of the prison officials, which many a time lead to grave consequences for inmates in terms of loss of health, well-being and even life.

There is need for serious interventions in this area. However, introducing a comprehensive training on human rights at all levels across the law enforcement departments may be the most meaningful step. The SHRC plans to undertake this step by following a process involving:

- a) A baseline survey on existing needs for training and capacity building on human rights;
- b) Development of a training manual. The United Nations Guidelines for National Plans of Action for Human Rights Education could also be referred to for this purpose;
- a) Engaging relevant departments, authorities and legislators to advocate for making these trainings an integral part of the respective departments' functions;
- b) Establishing mechanisms for review and up-gradation of the process.

Introduction of Human Rights in curriculum

There have been various discussions on the significance of introducing human rights education in the national curriculum across all levels. There have been random efforts too, but the absence of a concerted strategy has failed the agenda of realizing human rights education for a broader section of the population.



The SHRC deems human rights education as the most critical part of the goal to mainstream human rights in society. School education plays a very important role in forming children's attitudes, ideas and character. Introducing human rights as a course at the school level would not only expose children to the values of rights, this would help to embed these in their behavior. Children are most vulnerable to discrimination, intimidation and exclusion. Education of rights from the early stage of their development would help them differentiate between factors that positively and negatively affect society, and make decisions and take actions accordingly. In addition, promoting a pro rights environment in schools is also necessary so that young people can protect their own rights and respect that of others.

The SHRC will work with educators, curriculum development experts, child psychologists, human rights experts and also stakeholders from law implementation institutions to design a human rights specific curriculum, implementable across all levels of primary, secondary and higher education.

Review of existing curriculum

There have been various studies reviewing the curriculum (especially school curriculum) pointing out the presence of hate material that has been creating an environment for prejudice and intolerance among citizens on the basis of religion and class. There have also been studies assessing text books material from a gender based perspective. These studies have attracted attention from policy makers followed by pledges and efforts to reform the curriculum. The SHRC feels, and has also been suggested during the course of the Strategic Plan consultations, that it would help if the curriculum is reviewed from a human rights perspective to ensure that the contents do not project violation of human rights in any way. Such a review may also reinforce the conclusion of earlier studies regarding the need for serious reforms to remove material that promotes hate and gender inequality.

A comprehensive review of curriculum, documenting earlier studies while covering other relevant areas that have not been focused so far, will be undertaken with the help of experts. Recommendations will be filed with the Chief Minister Office and the provincial assembly for follow up on curriculum reform.

Educational workshops with media and NGOs

This is one of the fundamental demands coming from stakeholders consulted across the board. NGOs and civil society actors and media, especially in less developed parts of Sindh, feel the need for a comprehensive training on the fundamentals of human rights. This is in addition to capacity building on instruments, policies and institutional mechanisms guiding implementation of the constitutional and international obligations of Pakistan.

The SHRC seeks to design a series of training workshops to be conducted simultaneously across all districts of Sindh, introducing beginners, medium and advance levels of modules on human rights. Such trainings would help actors from the media, NGOs and broader civil society to design the content of their programmes and activities on the basis of an understanding of human rights. Moreover, these may assist in informed assessment of socio-economic and political developments.

Awareness about the Commission

Information, Education and Communication (IEC) materials are critical to public education on human rights, which is a fundamental part of mainstreaming human rights discourse. The SHRC, in the past, has designed informative materials (print) on the Commission that were disseminated during the course of the Commission's outreach programmes. The SHRC would consider modern means of Information and Communication Technology using text, social media, and mass media (TV, radio)



messaging to reach out to a broader section of the population. These messages may comprise basic, simple language content on human rights as well as updates on laws. This is so that a wider section of the public is aware of the rights impacting their lives, and could make use of this knowledge, especially with regards to engagement with public service.

Protection of Human Right

Human Rights violations complaint handling and investigation

The Commission has taken up around 400 cases since its establishment four years ago. As the Sindh Protection of Human Rights Act 2011 authorizes the Commission to address cases on application or by way of *suo moto* notice, the Commission has greater space to use its resources for the protection of human rights by making relevant interventions, in accordance with its mandate. For the purpose of cases, the Commission's processes are informed by the Rules of Business of the Sindh Protection of Human Rights Act 2011. The Commission has necessary set-up in place, with inquiries headed by member(s) from retired District and Sessions Court Judge, and assisted by a set of competent professionals.

All applications and *suo moto* notices are pursued by way of a thorough inquiry into the cases followed by hearings, where needed, and filing of recommendations. In the last four years, the Commission has established a functioning network with police and civil society, both acting as partners to support in investigation of violation of human rights cases. Other actors, such as government departments (Women's Development Department, Social Welfare Department and Ombudsmen Offices, among others), have also worked together with the Commission for a speedy response on cases.

Based on its experiences in addressing human rights violations cases, the Commission would like to introduce measures for speedy inquiry into cases and action on the Commission's recommendations. For this purpose, action on following measures would be pursued:

Review of existing mechanisms

The Commission will revisit existing mechanisms concerning cases to deal with violation of human rights. The focus may include increasing capacities for a speedy response and efficient handling of the cases, maintaining database for follow up, use of ICTs for speedy information transfer, and establishing a network of district offices managed by skilled human resource to assist victims with communication and coordination at the local level.

Developing functional connections with relevant departments

The SHRC has already established links with Human Rights Cells managed by DIG Police and SSP offices in Mirpurkhas, Mithi, and Sukkur. A functioning link with police department across the province will be pursued so that the pace of action on cases can be increased.

It would be also relevant to establish links with health department, social welfare department and IG Prisons by way of a formal appointment of focal persons in these departments. This is so that the SHRC can get speedy response for its recommendations and points of action drawn up during visits to hospitals, jails and Darul Amansas per its mandate. A coordination mechanism comprising periodic meetings, concerted plan of action for reforms in institutions and review of policies and mechanisms is also suggested.



Moreover, link with district and sessions courts and high court may also assist in establishing an efficient information sharing mechanism. The Commission has enjoyed excellent relationship with District and Sessions Courts all across the province. The courts have issued timely orders, provided speedy information and have also supported the Commission in terms of suggestions for review of laws and procedures on human rights issues. There is much scope for a closer coordination between the two institutions to make speedy justice for citizens possible. The Commission has proposed relevant provisions towards this end in the review of the Sindh Protection of Human Rights Act 2011.

Ensure response on human rights violations cases

As explained in earlier sections, the recommendatory powers of the Commission are a limiting factor as there is no binding obligation on the government or related departments to follow up with a response. The Commission has proposed amendments in the law for the government departments to respond to the Commission's recommendations, following inquiry into human rights violations cases. While the amendments have to go through a parliamentary process, the Commission shall continue to use its good offices with government departments to draw response from them over the Commission's recommendations.

Review of laws and legislation

The SHRC has already pursued review of laws developed in the course of the last decade related to gender based violence. The SHRC plans to undertake thematic areas for review of laws that have an impact on citizens lives and their fundamental rights.

In this regard, review of laws related to labour, minorities, environment and children's rights will be specifically focused. These laws would be reviewed by experts, employing benchmarks of fundamental rights, including those enshrined in the Constitution and also provided for in the international treaties and conventions ratified by Pakistan.

It is also important to emphasize the significance of reviewing structures, procedures, and protocols that materialize the implementation of laws. Examples include medico-legal processes, investigation procedures, and SOPs of committees for implementation of laws, for example The Domestic Violence (Prevention and Protection) Bill, 2013 and The Acid Control and Acid Crime Prevention Act, 2010, among others. Deficits in institutional procedures, more often than not, fail the objectives of fair inquiry and hence access to justice and rights.

Compliance on international obligations

Pakistan has ratified important human rights conventions including Convention on the Elimination of All Forms of Discrimination Against Women, Convention on the Rights of the Child, International Convention on the Elimination of All Forms of Racial Discrimination, and Convention Against Torture, among others. This includes, as well as is in addition to, the 27 Conventions on human rights, labour rights, governance and environment that come with the GSP Plus status for Pakistan by the European Union. Compliance to these conventions is an obligation if Pakistan is to retain the status for a tariff free access to the European markets.

The SHRC realizes the deficits in the country's compliance to these obligations. These originate from a number of factors including absence of necessary mechanisms, institutional gaps, and lack of political will, among others.



The SHRC plans to support an environment conducive for compliance to Pakistan’s international obligations. This shall be done within the provincial framework. For this purpose, the SHRC will undertake a review of the institutional and structural mechanisms established for the purpose of compliance and, if needed, propose reforms for an effective system. This process will be undertaken employing a consultative approach involving inputs of a range of actors and experts.

The SHRC sees itself as a key actor to ensure compliance of international conventions and treaties, as stipulated in the Commission’s mandate. The Commission has been authorized to “study treaties and other international instruments on human rights and make recommendations for their effective implementation”.

In this regard, it is critical that the SHRC be made part of reporting procedures on these treaties. The SHRC plans to lobby with concerned stakeholders to realize the implementation of this particular provision of the Sindh Protection of Human Rights Act 2011.

Strategies

This section lists key strategies that the Commission plans to undertake informed by the processes followed for the development of Strategic Plan. These have been further placed into a Work Plan so that the Commission can follow a direction to channel its efforts for pursuing the objectives of the Strategic Plan.

Institutional Development

During the series of consultations conducted to solicit recommendations for the Strategic Plan, stakeholders representing various constituencies placed high expectations on SHRC. Also, given that the situation of human rights in the province is challenging, it is extremely important for the Commission to deliver on the expectation of the people of Sindh. This task is only possible when the Commission develops itself as an effective, efficient and resourceful institution. Hence the institutional development of the Commission will remain an important strategic objective.

The Commission plans to focus on the following key areas, concerning institutional development.

Reforming the law

Under the institutional development objective, priority would be given to efforts for amendments in the law (Sindh Human Rights Protection Act 2011). The amendments pertain to the exercise of the Commission’s powers and functions, institutional aspects such as appointment and resignation of Chairperson and members, inter-departmental linkages, funding, and audits, and most importantly introducing a provision for government departments to respond to the inquiries and recommendations of the SHRC on the cases of human rights violations.

The Commission plans to initiate a series of concerted lobbying and advocacy efforts, particularly with members of the Sindh Assembly to approve the amendments, with the hope of achieving this objective before the present Sindh Assembly competes its tenure in 2018.

Budgetary and Administrative issues

The Commission currently receives grant-in-aid from the Government of Sindh. Earlier the amount was hardly sufficient to pay for the salaries of the Chairperson and members. However, there has been an incremental increase in the government support allowing the Commission to run a modest office set-up at Sindh Secretariat, Karachi.



In recent past, the Commission was also able to secure a USAID-Aurat Foundation project and, with the assistance provided under this project, was able to conduct awareness programmes, seminars, workshops and visits to different districts in the province.

But given the huge mandate of promoting and protecting human rights provided by the law, it is difficult for the Commission to fulfill its responsibilities with such a limited budget. Hence the Commission intends to make strategic efforts through advocacy and lobbying to secure a regular budget or a substantial increase in the grant-in-aid from the Government of Sindh.

The SHRC Rules of Business approved by the government in December 2013 empowers the Commission to solicit funds from domestic and international donors. The Commission plans to mobilize donor funding as part of its strategic objective provided that the funding is unconditional and did not affect the mandate and credibility of the Commission. The Commission will acquire expert services in this regard.

Staffing: As a part of institutional building, the Commission seeks to fill existing position of a Secretary as well other necessary staff so that all areas of its operations, especially those concerning handling of rights violations cases, are fully operational. Training of staff is also an objective, as the Commission deals with very sensitive issues concerning human rights.

Based on the past experience and recognizing the limitations and challenges in securing government staff, the Commission also plans to mobilize technical support in terms of staffing from civil society organizations and will also encourage volunteer services and internships by university students.

Policies: The Commission already has a detailed Rules of Business as duly prescribed and approved by the Government of Sindh in December 2013. However, to make the Commission an efficient, accountable and transparent body, a set of organisational policies and procedures are to be formulated. Towards this end, a financial policy, human resources management policy, outreach and communication policy and gender policy will be developed.

Advisory Committees: The SHRC Rules of Business authorizes the Commission to form/appoint advisory committees and subcommittees. The Commission has already started a process of forming these committees. The strategic objective is to see these committees functional and substantially contributing in assisting the Commission in discharging its responsibilities of promotion and protection of human rights. During the consultative process the Commission was recommended to establish district level offices, this may not be possible during this strategic plan period. However, the Commission will utilize the efforts and offices of advisory committee members to function as SHRC focal persons at divisional and district levels. With this strategy the Commission even with limited staff and resources would be able to reach maximum population through these committees.

Partnerships

During the last four years, the Commission has been closely working with the civil society organizations in Sindh, particularly those based in Karachi. The Commission, being a government body, also works in liaison with the relevant government departments. However, given the huge mandate and the situation of human rights in the province, the Commission aims to establish a formal partnership mechanism with stakeholders on the basis of mutual learning, sharing and working together. This approach is also in-line with the mandate provided in Rules of Business where the Commission is not only expected to develop and maintain interaction and dialogue with civil society organizations and



individual experts at national level but also at international level. Key partners that the Commission seeks to work with include:

Civil Society: The Commission will establish a formal partnership with the key civil society organizations individually or thematically and a joint work plan will be prepared. This will be mutually and strategically beneficial as the Commission is short of resources, and this shortfall may be filled in by civil society organizations whereas the Commission, being a government body can be instrumental in implementation of human rights agenda of civil society organizations at policy level. A strong relationship based on the core values of collaboration and cooperation is an objective to achieve during this strategic plan. The advisory committees comprising members from the civil society under process will further strengthen this collaboration.

Sindh Assembly: The Commission was formed as a result of the Sindh Assembly's efforts to establish a human rights body dedicated to protecting the rights of the citizens of the province. The Commission relies much on the legislative house for strength and support to implement this agenda and two of the Assembly members are a part of the Commission, as per law. A group of cross party assembly members have already expressed support in amending the Sindh Protection of Human Rights Act 2011, the Commission's objective is to establish a formal partnership with the Sindh Assembly. The Commission plans to approach the Assembly through Speaker and Deputy Speaker and after a series of meetings establish a formal channel of working together for promotion and protection of human rights. The Commission can regularly have high level dialogue through experts briefing to update members of the Sindh Assembly and various Standing Committees on human rights issues and required compliance actions. The assembly secretariat can refer human rights related draft laws to the Commission for expert view before making them laws. This simple but important strategic partnership can go a long way in improving the human rights situation in the province.

Provincial government: Under the current law the Commission is under complete control of the provincial government of Sindh. However, given the standing of the chairperson who is a reputable retired judge of high court and also credibility of other members, the Commission has been able to establish its distinct and independent position. Often the Commission has been entrusted to present the Sindh government's position on key human rights issues particularly on visits of international delegations or while interacting with federal government at the highest level. The Commission aims to enhance this level of trust by establishing more close collaboration and partnership with the key government departments such as human rights, women development, social welfare, labour and law and justice. Major objective is to mainstream the human rights at policy level through partnership with these departments and provide them required guidance and expert advice.

Bar Associations: The Commission believes that even with limited resources a lot of the work can be done through collaboration and cooperative strategies. Hence the commission aims to establish collaboration with key institutions such as bar associations and councils throughout the province. Bar Council are already established institutions in almost all districts of Sindh. In addition, there is High Court Bar Association and Sindh Bar Council. The Commission aims to establish partnership particularly with district bar associations to ensure immediate quality relief for victims of human rights abuses and to use the bar's influence as preventive measure in issues concerning to human rights.

Media: There is no doubt that the media has emerged as a powerful tool not only to make opinion but also to highlight and influence public policy. The Commission aims to utilize this media influence positively to create human rights awareness, highlight issues of human rights violations and partner



with the Commission in improving the human rights situation in the province. The Commission aims to establish a formal partnership channel with press clubs and journalists associations/unions throughout the province. The partnership will help the Commission in reaching a large number of public and also in advocacy for policy change.

International organizations & donors: The SHRC Rules of Business clearly mandate the Commission to establish mutually beneficial relationship with organizations and institutions in other countries. The recent developments such as Pakistan's GSP+ status also necessities the role of the Commission in international matters. In fact the Commission was invited by the government of Sindh for a detailed presentation to an EU mission assessing the implementation on GSP+ conditionality last year. After 18th amendments, most of the international commitments related compliance and implementation mechanisms have to be at the provincial level. Hence the Commission would systematically approach international organizations and donors for financial and technical support and for collaboration and cooperation in the areas of human rights promotion and protection.

Advocacy and Lobby

Considering the limited scope of direct action provided in the Sindh Protection of Human Rights Act 2011, the Commission aims to use advocacy and lobby as an effective strategy to achieve major targets for promotion and protection of human rights in the province. The Commission will have a clear advocacy plan to achieve key objectives through advocacy and lobby. These lobby and advocacy efforts will be by the Commission and its members and also jointly with other stakeholders such as civil society and in some cases with government departments such as women development. These efforts may entail the following:

- An advocacy and lobby plan with parliamentarians, key government departments and other stakeholders for accurate input and reporting on compliance of international instruments;
- Advocacy and lobby with members of Sindh Assembly for amendments in the Sindh Protection of Human Rights Act 2011 for effective powers for the Commission;
- Advocacy for pro-human rights laws at provincial level and their implementation;
- Lobby for provincial policy on human rights and mainstreaming of the policy at all department levels in the province;
- Lobby for Commission's role in decision-making and coordination with provincial bodies such as the Provincial Task Force on Human Rights and Treaty Implementation Cell;
- Lobby and advocacy for enhanced budgets for shelter houses, better living conditions for prisoners, child protection units and such places designated for the protection of vulnerable groups;
- Advocacy and lobby for improvements in administration and management of shelter homes, jails, hospitals other places housing vulnerable groups;
- Advocacy and lobby for drafting and official notification of the Rules of Business of recently passed pro-women laws in addition to thorough implementation of these laws;
- Advocacy and lobby for reforms in police laws and in criminal justice system;
- Lobby and advocacy for establishment of Provincial Commission on the Status of Women, Child Rights Commission, Minority Rights Commission and other mechanisms linked with rights of the vulnerable communities.

Documentation and Research

Availability of accurate and reliable data on issues concerning human rights has been a challenge for all those working on human rights. There are no reliable sources barring newspaper reports and individual data gathering exercises by relevant departments such as the Police. Important government



departments such as Women Development, Social Welfare, Human Rights, Minorities Affairs, Labour and others do not maintain a data base on the status of access to rights or services of their respective constituencies. These departments and others heavily rely on data and statistics of non-governmental organizations that mostly produce data according to the needs of their projects.

The data gap is a hurdle in the way of accurate reporting to international bodies by the federal government. In the past, the provincial governments have been asked at short notice to fill in the data gap, which, in the absence of a proper mechanism, becomes an exercise of pass the buck between various departments. Delay and inaccuracy mar the quality of data provided.

Obviously, advancing any policy oriented action for promotion and protection of human rights would require sound research and analysis. Hence the Commission has decided to use the research and documentation as a major strategy to advance its work in coming years.

To achieve the above mentioned strategic objective, the Commission would be engaged in the following:

- Mapping exercise of key activities in the direction of data gathering on human rights in the province;
- Establish a database to record violation of human rights in the province (on the basis of cases addressed by the Commission) and regularly share with key government departments for coordinated efforts to improve human rights situation;
- Identify key topics for research and analysis for the next five years focusing on high impact areas. The consultative process has already indicated such areas including i) situation of jails and particularly that of under trial prisoners; ii) An analysis of bottlenecks in implementation of rights laws; iii) Impact of Jirgas on human rights v) Gap analysis of legal and policy framework for human rights compliance;
- A baseline on human rights situation in the province for key stakeholders, including government departments;
- The Commission has dedicated trained staff maintaining a separate research unit. The Commission may also pursue a panel of qualified researchers and request their services for research and analysis when needed;
- A resource centre is established with availability of key reports and books on human rights for reference and internal use;
- A collaboration is established with universities and private research institutes for joint research and data collection on mutually agreed terms and conditions;
- SHRC research and data is regularly shared with the government, policy makers and parliament for informed decision making;
- A regular briefing on human rights issues for media is pursued, aimed at highlighting the accurate situation of human rights in the province;
- Regular policy guidelines are prepared to be circulated among all departments, encouraging human rights compliance in their operations.



WORK PLAN FOR SINDH HUMAN RIGHT COMMISSION – 2017-2021
SHORT, MEDIUM AND LONG TERM ACTIVITIES IN LINE WITH STRATEGIC PLAN GOALS

Activities		2017-2018	2017-2019	2017-2021	Lead Organization (LO) and Supporting Partners (SP)
Component 1:	Institutional Development				
1.1	Human Rights violations complaint handling and investigation <ul style="list-style-type: none"> Revisit existing mechanisms concerning cases to deal with violation of human rights; Introduce measures for speedy response to cases; Increasing capacities for a speedy response and efficient handling of the cases; Maintaining database for follow up, use of information and communications technology for speedy information transfer; Establishing a network of district offices managed by skilled human resource to assist victims with communication and coordination at the local level. 	xx			
1.2	Developing functioning connections with relevant departments <ul style="list-style-type: none"> Establish and enhance links with health department, social welfare department, IG Prisons and district and sessions courts and high court Periodic meetings; Review of policies and mechanisms; Development of concerted plan of action for reforms in institutions. 	xx	xx		
1.3	Means to ensure response from the government during the course of the cases and after the conclusion <ul style="list-style-type: none"> Hold meetings with Chief Minister, Chief Secretary, Law Ministry, and heads of various departments Meet parliamentarians to lobby for amendments in the Sindh Protection of Human Rights Act 2011 that carries relevant provisions for the Commission's efficient functioning. 	xx			
Component 2:	Mainstreaming Human Rights Agenda				
2.1	Educational workshops with media and NGOs <ul style="list-style-type: none"> Development of module for training Organizing trainings all over Sindh 	xx	xx	xx	
2.2	Training of law officers, police and other relevant members of government on human rights as well as the Commission's mechanisms <ul style="list-style-type: none"> A baseline survey on existing needs for training and capacity building on human rights; Development of a training manual; 	xx	xx	xx	



	<ul style="list-style-type: none"> Engaging relevant departments, authorities and legislators to advocate for making these trainings an integral part of the relevant departments' functions; Establishing mechanisms for review and up-gradation of the process. 				
2.3	Enhance awareness about the Commission by way of IEC materials and traditional and modern mediums <ul style="list-style-type: none"> Message development on human rights; Engaging media outlets (print, electronic, social media); Dissemination of messages; Revision and upgradation of messages; 	xx			
2.4	Review of existing curriculum from human rights perspective <ul style="list-style-type: none"> Preparation of a review document; Consultation for inputs of experts; Preparation of recommendations; Presentation of recommendations to the Chief Minister, Members Parliament, Education Department, and media and civil society; 		xx		
2.5	Introduction of Human Rights in curriculum at all levels <ul style="list-style-type: none"> Series of consultations to gather inputs from stakeholders/key actors; Review of human rights in existing curriculum; Designing of curriculum involving experts in fields of education, human rights and child psychology; Presenting the proposed curriculum to stakeholders in the government department; Upgrade if need be; Finalisation and lobbying with the Education department and other actors for adoption of the curriculum; 			xx	
Component 3:	Review of laws and legislation and Compliance on international obligations				
3.1	Review of laws and legislation [Systematic review of current laws and prepare recommendations for amendments & improvements based on the constitutional framework of human rights (life, liberty, equality and dignity)] <ul style="list-style-type: none"> Identification of thematic areas in consultation with experts; Consultations to identify gaps in laws and implementation; Preparation of a study on laws incorporating primary and secondary data; Presentation of the study; Lobby with the parliament for next steps. <p><i>Suggested themes: Labour Laws (year 1), Environment Laws (year 2), Laws on Health and Education (year 3)</i></p>	xx	xx	xx	
3.2	Compliance on international obligations			xx	



Annexures

Annexure 1 - Sindh Protection of Human Rights Act 2011

Annexure 2 - Rules of Business

Annexure 3 - Proposed Amendments in the Sindh Protection of Human Rights Act 2011

Annexure 4 - Standard Operating Procedures for Complaint Handling Mechanism

Annexure 5 - Monitoring and Evaluation Framework for Strategic Plan Work Plan

Annexure 6 – Profiles of Chairperson and Members Commission



Annexure 1

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 9TH JUNE, 2011

NO.PAS/Legis-B-8/2011-The Sindh Protection of Human Rights Bill, 2011 having been passed by the Provincial Assembly of Sindh on 16th May, 2011 and assented to by the Governor of Sindh on 9th June, 2011 is hereby published as an Act of the Legislature of Sindh.

THE SINDH PROTECTION OF HUMAN RIGHTS ACT, 2011.
SINDH ACT NO: XIII OF 2011

AN
ACT

to provide for protection of the human rights in the Province of Sindh.

WHEREAS it is expedient to provide for protection of the human rights in the Province of Sindh and to provide for matters connected therewith or ancillary thereto.

It is hereby enacted as follows:-

Preamble.

PART-I
PRELIMINARY

1. (1) This Act may be called the Sindh Protection of Human Rights Act, 2011.
- (2) It shall extend to the whole Province of Sindh.
- (3) It shall come into force on such date as Government may, by notification in the official gazette, specify.

2. In this Act, unless there is anything repugnant in the subject or context –
 - (i) “Chairperson” means the Chairperson of the Commission;
 - (ii) “Commission” means the Sindh Human Rights Commission constituted under section 3;
 - (iii) “Government” means the Government of Sindh;
 - (iv) “human rights” means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan and enforceable by law;

**Short title,
extent
and
commencement.**

Definitions.



- (v) “member” means the member of the Commission;
- (vi) “prescribed” means prescribed by rules;
- (vii) “rules” means the rules made under this Act; and
- (viii) “Secretary” means the Secretary of the Commission.

**PART-II
ESTABLISHMENT OF THE COMMISSION**

3. (1) As soon as may be, after the commencement of this Act, there shall be established a Commission to be known as the Sindh Human Rights Commission.

**Establishment
of the
Commission.**

(2) The Commission shall consist of -

- | | |
|---|------------------------------|
| (i) a person who has been a Judge of High Court, was or is qualified as such, to be appointed by Government; | Chairperson |
| (ii) two persons who have been District and Sessions Judges or Additional District and Sessions Judges to be appointed by Government; | Members |
| (iii) four persons including two Members of Provincial Assembly to be nominated by the Speaker; | Members |
| (iv) Secretary of Commission to be appointed by Government. | Secretary/
Member |

(3) The Commission shall be a body corporate having perpetual succession and a common seal with powers, subject to the provisions of this Act, to enter into agreements, contracts, acquire and hold property, both moveable and immovable, and to sue and be sued in its name.

(4) The headquarters of the Commission shall be at Karachi and the Commission may with the previous approval of Government, establish offices at district level.

(5) The Chairperson and member shall, unless resigned or removed earlier, hold office for a term of three years and shall be eligible for re-appointment for one similar term.



- (6) In case of death, resignation or removal of such Chairperson or a member, another Chairperson or as the case may be, a member may be appointed in his place for the un-expired term of such Chairperson or member.
- (7) The salaries, allowances and other conditions of service of Chairperson and Members shall be such as may be prescribed; provided that neither the salary and allowances nor the other terms and conditions of service of a Chairperson or Member shall be varied to his disadvantage after his appointment.
- (8) There shall be a Secretary who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission as it may assign to him.
- (9) The Chairperson or a member may, by writing under his hand, resign from his office but his resignation shall not take effect until it is accepted by Government.
- (10) No act or proceedings of the Commission shall be invalid by reason only of existence of a vacancy in, or the Constitution of the Commission.

PART-III POWERS AND FUNCTIONS OF THE COMMISSION

4. The Commission shall -

- (i) inquire, suo moto or on a petition presented to it by a victim or any person on his behalf, into complaint of -
 - (a) violation of human rights or abetment thereof;
 - (b) negligence in the prevention of such violation, by a public servant;
- (ii) recommend to Government the remedial measures including action to be taken against the persons involved in violation of human rights;
- (iii) formulate, implement and regularly update policies with a view to protect human rights;
- (iv) visit, under intimation to Government, any jail or institution under the control of Government where persons are kept or detained or admitted for purpose of treatment, reformation or protection to see the living conditions of the inmates and make recommendations thereon;

**Powers and
Functions of the
Commission.**



- (v) review the safeguards provided by or under the Constitution or any law for the time being in force for protection of human rights and recommend measures for their effective implementation;
- (vi) study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (vii) undertake and promote research in the field of human rights;
- (viii) spread human rights literacy among various sections of society;
- (ix) promote awareness of the safeguards available for protection of human rights through print and electronic media, seminars and other available means;
- (x) encourage the efforts of non governmental organizations and institutions working in the field of human rights;
- (xi) publish or cause to be published the various policies, details, data and information relevant to the affairs of the Commission on a regular basis and ensure reasonable access of the public to the same;
- (xii) appoint such officers and staff as may be necessary for carrying out the purposes of this Act, subject to the approval of Government; and
- (xiii) shall perform such other functions necessary for protection of human rights, as may be prescribed.

PART-IV MEETINGS OF THE COMMISSION

5. (1) There shall be at least one meeting of the Commission in each quarter of a year.
- (2) The meetings of the Commission shall be held at such time and at such places and in such manner as may be prescribed by rules or, until rules are made in this behalf, as and when convened by the Chairperson.
- (3) Notwithstanding the provisions of sub-section (1), the Chairperson shall convene a meeting of the Commission if three or more members request him in writing and such meeting shall be convened after giving at least seven days notice within a period of not exceeding fifteen days of receipt of such requisition.
- (4) The quorum for a meeting of the Commission shall be four members.

Meetings of the Commission.



- (5) The Chairperson or, in his absence, a member elected by the members present in a meeting of the Commission shall preside at such meeting of the Commission.
- (6) In the event of an equality of votes, the Chairperson or the member presiding a meeting shall have a casting vote.
6. Government may by notification remove the Chairperson or a member, if he -
- (a) is incapable of discharging his responsibilities under this Act;
 - (b) has been declared insolvent; or
 - (c) has been declared to be disqualified for employment, or has been dismissed from the service of Government, or has been convicted for an offence involving moral turpitude; or
 - (d) has knowingly acquired or has continued to hold without the permission, in writing, of Government, directly or indirectly or through a partner, any share or interest in any, contract or employment with or on behalf of the Commission or in any land or property which, to his knowledge, is likely to benefit or has benefited as a result of the operations of the Commission:

**Removal of
Chairperson or
member.**

Provided always that no action shall be taken under this section against the Chairperson or a member without affording him an opportunity of being heard.

7. The Secretary shall be responsible for -
- (i) all correspondence on behalf of the Commission, subject to this Act, and directions from time to time, issued by the Commission or the Chairperson;
 - (ii) the maintenance and safety of the records and all other property of the Commission; and
 - (iii) general supervision, control and administration of the office and staff.

**Powers and
Functions of the
Secretary.**



PART-V
FUND, ACCOUNTS AND AUDIT

8. (1) There shall be a Fund known as the Sindh Human Rights Commission Fund. **Fund.**
- (2) The Fund shall consist of -
- (i) grant-in-aid from Government;
 - (ii) endowments, donations and contributions from public;
 - (iii) contributions from District Governments and other institutions;
 - (iv) sale proceeds of the publication and any bonafide income-generating means undertaken by the Commission.
- (3) (i) The Fund of the Commission shall be deposited in a scheduled Bank under such head of accounts as may be determined by the Commission.
- (ii) The account of the Fund shall be audited once in every financial year by the Director General Audit Sindh or his nominee.
- (iii) The audited annual statements of receipts and expenditure shall cover the period of the proceedings of financial year ending on 30th June and shall be submitted to the Commission by the Secretary for approval.
- (iv) In the Budget Meeting of the Commission, the Secretary shall submit the budget of the Commission for the financial year. The Commission shall approve the budget with such modifications, if any, as it may deem necessary.
- (v) A qualified auditor shall be appointed by the Commission to authenticate and audit the accounts of the Commission.



**PART-VI
MISCELLANEOUS**

9. Government may require the Commission to furnish to it any document, return, statement statistics or any other information regarding any matter pertaining to the Commission and the Commission shall comply with such requisition. **Returns, statement etc.**
10. The Commission may, by general or special order and subject to such conditions as it may impose, delegate to the Chairperson, members or its Officers, any of its powers, duties or functions under this Act or the rules made thereunder. **Delegation of Powers.**
11. The Chairperson, members and employees of the Commission shall, while acting or purporting to act under this Act or rules, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code. **Public Servant.**
12. Government may make rules for carrying out the purposes of this Act **Rules.**
13. No court shall have jurisdiction to entertain any proceedings Jurisdiction of courts or make any order in relation to anything done or purported to be done under this Act. **barred.**
14. No suit or legal proceedings shall lie against Government, the Commission or officer and servant in respect of anything done or purported to be done in good faith under this Act. **Indemnity.**

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH



Annexure 2

Standard Operating Procedures for Complaint Handling Mechanism

Introduction:

Taking up violation of Human Rights cases is the most important function of the Sindh Human Rights Commission (SHRC). According to the Sindh Protection of Human Rights Act 2011, the Commission has the powers to:

- (i) inquire, *suo moto* or on a petition presented to it by a victim or any person on her/his behalf, into complaint of – (a) violation of human rights or abetment thereof; (b) negligence in the prevention of such violation, by a public servant;
- (ii) recommend to Government the remedial measures including action to be taken against the persons involved in violation of human rights;

The guidelines with regards to handling of the cases have been provided in the Rules of Business of the Sindh Protection of Human Rights Act 2011. The Commission has been following the procedures outlined in the Rules of Business. However, it would be useful to lay down a step by step guideline for the purpose of the handling of the cases so as to avoid discrepancies in carrying out the fundamental task of addressing complaints assigned to the Commission. The following document may therefore be treated as SOP for Complaint Handling.

Responsible Authorities:

- The Chairperson of the Commission and Members of the Commission would be responsible for overseeing the handling of human rights violations cases;
- Each of these authorities would be assisted by one or more officers/staff members depending on human resource available and number of cases. The SHRC admin staff would also support the complaints handling in terms of providing logistic support;
- The Chairperson of the Commission and Members of the Commission may seek guidance/advice from legal advisors or experts where necessary, and also seek assistance from Advisory Committees, when formed;
- Given the delicacy and sensitive nature of human rights complaints, the Chairperson of the Commission, who by qualification is a retired judge of the High Court, shall have the final word/approval on the cases/recommendations prepared by the SHRC members or staff handling the complaints.



Procedure for Complaint Handling

Step 1: Complaints

1. The SHRC may receive complaint via appearance of applicant in person in the Commission's office, or through application, letter, email, sms, phone call or verbal reference;
2. The SHRC may also take note of a newspaper report, or other forms of a report, or verbal description of an event constituting human rights violation;
3. The complainant will be called over the phone for details. In case of inaccessibility by phone, the SHRC focal person would be requested to visit the complainant and get an application or fill out the complaint form on her/his behalf;
4. Those who are unable to read or write would be facilitated.

As per Rules of Business of the Sindh Protection of Human Rights Act 2011, all petitions, applications, emails, faxes, suo-moto notice or telephonic information addressed or communication made to the Commission, its Chairperson, members or Secretary either by name or designation shall be entertained and registered by the Commission in the register meant for the purpose.

Step 2

Filling out of Form

1. All complaints must be noted on the form designed for documenting database of the complaint;
2. If the complainant fills out the form herself/himself, Assistant Officer must review the form. It shall be ensured that all sections should be appropriately filled out;
3. The complaint will be stored in a database for record and ready reference.

Step 3

Decision regarding the future of the complaint

1. The Commission may review the complaint and decide its response accordingly;
2. As provided in the Rules of Business, the Commission may dismiss the petition, application or other communication of the following nature:-
 - (i) Illegal
 - (ii) (ii) vague, anonymous, pseudonymous;
 - (iii) (iii) allegations do not make out any specific violation of human rights;
 - (iv) (iv) matter is sub-judice before court or tribunal;
 - (v) (v) the matter is outside the purview of the Commission on any other grounds. In that case, the Commission shall refer the case to the relevant authority. It shall also maintain a follow up to ensure resolution of the complaint.

Step 4

Information Gathering

If the Commission decides to take up the case, the following actions would be undertaken:

1. A notice would be written to the relevant authority to furnish information or report or comments. The notice shall include copy of the application, petition or other communication;
2. The relevant authority shall be required to furnish the information/report/comments within 7 days of the receipt of the note by the SHRC;



3. In case of the failure of the relevant authority to submit information/report/comments on time, they will be sent two reminders. Failure to respond shall lead to the SHRC writing a formal complaint to the Chief Minister Office;
4. On receipt of the information or report or comments called for, a detailed note in the form of a synopsis shall be prepared (by the authorized officer);
5. Based on the sufficiency of the information, the Commission shall decide whether the case needs further inquiry by calling all involved, or should it be closed (at the SHRC) by referring the case to the police or courts, where necessary, or should the Commission file recommendations for redress. In the latter two options, the case would be closed till further inquiry/action is necessary.

Step 5:

Inquiry

If an inquiry has to be called, the Commission shall write a notification to the concerned officials as well as the complainant and if possible, the accused. They will all be given a date and time to appear before the Commission;

In case a complainant is poor and cannot afford to travel, this should not be considered a hindrance and the Commission shall arrange his or her travel;

All involved will be asked to present their point of view. For those unable to comprehend Urdu, Sindhi or English, would be facilitated with translators;

The Commission shall summon relevant record and reports from concerned authorities or collect required information through own sources (e.g. members of advisory committees).

Step 6:

Following inquiry, the Commission shall take the following actions:

1. Refer the case to the relevant authority. In this case, the Commission shall maintain a follow up with the concerned authority;
2. File recommendations and send it to the concerned authority, with a copy to the Chief Minister's Office, Chief Secretary's Office, concerned district and Sessions Court and High Court;
3. A follow up will be maintained. If the recommendations are not responded to within ten days of the receipt, the Commission shall write a reminder, while sending a copy to the authorities outlined above. If there is no response upon two reminders, the Commission shall write a note to the Chief Minister and the Chief Secretary's offices.

Additional Note:

1. The Commission is required to maintain complete confidentiality with regards to cases. No names, incidents, or any details shall be disclosed to anybody who has no relevance to the case.
2. The Commission shall also maintain a record of, and update, all information on electronic database system.
3. The Commission shall also maintain a complaint and suggestions box in addition to similar provision online, which shall be checked and reviewed everyday.



4. The Commission should establish a network of representatives/civil society focal persons in the entire province to collect/report human rights violations and also assist the Commission in collecting reliable information.
5. The Commission should liaison with existing legal aid mechanisms of various government departments and civil society for maximum benefit to the victims of human rights violations.
6. The Commission should make public a half yearly report on complaints received and handled.



Annexure 3

Proposed Amendments in the Sindh Protection of Human Rights Act 2011

The Commission is regulated by the Sindh Protection of Human Rights Act 2011. The Act lays out the powers and functions of the Commission, qualification and criteria for appointment of Commission's Chairperson and members, the terms and conditions of their services, funds, and accounts and audits of the Commission. Rules of Business of the Commission lay down the structures and procedures to follow the mandate of the Commission.

The law has important provisions that empower the Commission to undertake actions to address violation of human rights. The Commission is authorized to do this either by way of responding to applications or taking *suo moto* notice. The law also equips the Commission with the powers to contribute positively to the human rights environment by reviewing laws and policies from human rights perspective, collaborate with civil society and media for a supportive human rights environment and undertake researches on human rights for an informed and objective discourse. The law has been extremely useful in terms of opening avenues for the Commission to make useful interventions to improve the human rights situation in the province.

However, the Commission, in the course of its work in the past four years, has felt that there are limiting factors in the law that obstruct the Commission in realising an impact of its actions. These pertain to the exercise of the Commission's powers and functions, institutional aspects such as appointment and resignation of Chairperson and members, inter-departmental linkages, funding, and audits. Because of these factors, there have been various instances where Commission's efforts have failed to make any impact despite solid grounds utilized to advance the given objective. This was solely because the law does not provide necessary mechanism to materialize action. This is most direly felt when addressing human rights violations cases. Many of the recommendations filed by the Commission have not been able to evoke any response from the government simply because the law does not provide a binding obligation to the authorities to follow up.

In terms of institutional appointments, the Commission has felt that there would be a greater positive impact on credibility and transparency if the members of the Commission are selected by both the government and the opposition. Moreover, being an independent body, the Commission feels that a system of accountability through public representative is important as the Commission is mandated to protect the human rights of the population of Sindh. It is therefore important that the Commission presents an annual report of its work before the Sindh Assembly.

In order to address these gaps, the Commission initiated a process of introducing amendments to the law. The process was supported by The Gender Equity Programme (Aurat Foundation) and The Asia Foundation. A draft was prepared by a competent legal professional Mr Hammad Saeed. This draft was informed by a series of consultations that involved participation of leading legal experts, retired judges, human rights experts, and civil society leadership, among others. Their inputs were incorporated into the draft.

Key amendments proposed pertain to clarity in definitions, qualifications of chairperson and members, constitutional framework for human rights to be followed by the Commission and inter linkages with relevant departments for speedy and effective redressal of human rights violations cases.



The draft was presented to the Members Sindh Assembly in a separate consultation on 9 February 2017 in Karachi. It has also been shared with Minister Parliamentary Affairs Mr Nisar Ahmed Khuhro. Members Assembly took keen interest in the law and expressed their unequivocal support for the legislative process to pass the amendments in the Assembly. The SHRC looks forward to seeing this support translated into action.



Annexure 4

Sindh Human Rights Commission Strategic Plan 2017- 2021

Monitoring and Evaluation Framework for Strategic Plan Work Plan

Introduction

The Sindh Human Rights Commission (SHRC) has prepared a Strategic Plan to guide its actions in the coming five years. The main objective behind the preparation of the plan is to undertake focused interventions on human rights, steered by the mandate outlined in the Sindh Protection of Human Rights Act, 2011, in addition to a thorough understanding and analysis of the human rights situation in the province.

A Work Plan has been also been prepared and annexed with the Strategic Plan to list concrete actions to be taken by the Commission in line with the Strategic Plan. These action areas were identified in the round of consultations undertaken by the Commission as a part of developing the Strategic Plan 2017-2021. The key areas that these action items seek to focus on are as follows:

- **Institutional Development**
- **Mainstreaming Human Rights Agenda**
- **Review of Laws and Legislation and Compliance on International Obligations**

Monitoring and Evaluation

Given the importance of the Work Plan, and also the significance of concerted actions to improve the human rights situation in the province of Sindh, the Commission has developed a Monitoring and Evaluation Plan for the follow up of the Work Plan aimed at regular monitoring of implementation on the Strategic Plan and make necessary adjustments if and when required.

The Plan seeks to ensure programmatic transparency and operational excellence. The Commission realizes the need for necessary mechanisms to materialize implementation of the Plan. This document aims to outline the key fundamentals to be pursued to ensure an effective Monitoring and Evaluation exercise.

Monitoring and Evaluation Framework/ Mechanism

- Main responsibility of monitoring and evaluation (M&E) of the Commission's Strategic Plan related tasks and its impact lies with the full Board of the Commission which meets regularly and take key decisions. However, for the purpose of keeping a regular track on implementation of the work plan prepared under the Strategic Plan, a special Monitoring and Evaluation Committee (MEC) comprising at least two members of the Commission, two staff members and an outside expert/ advisor would be formed for the regular monitoring and evaluation of the implementation of the Strategic Plan and to make necessary adjustments.
- The Committee will meet quarterly, ideally before the Board meeting and review the implementation on tasks/activities under the Strategic Plan, take into account challenges and obstacles faced and prepare a report/plan to be approved by the Board to make necessary adjustments in tasks and methodology.
- Two full time staff at the Commission will be given technical training in Monitoring and Evaluation and would be entrusted with the additional responsibilities of Monitoring and Evaluation of the Work Plan;



- The designated staff will prepare an annual Monitoring and Evaluation Report (MER) to be submitted to the Monitoring & Evaluation Committee (MEC). This report should be submitted on a prescribed M&E format developed after, or during, the training of the staff.
- A periodic activities plan would be prepared to implement the outputs outlined in the Work Plan clearly indicating expected results, responsibilities, etc.
- The Work Plan would be prepared in consultation and with approval from the Board members (members of the SHRC). An update on activities will be shared with the Board members.
- Depending on availability of resources, a Monitoring and Evaluation software would also be acquired so that data is collected in a professional and scientific manner and then this data is used for learning and also for the fulfillment of the Commission’s mandate;
- A set budget, subject to the approval of the Board, would be allocated for the activities outlined in the Work Plan;
- A good practices guide, with various reporting formats/ matrixes, would be developed and adhered to for the purpose of implementing the Strategic Plan Work Plan.

Key Programmatic Considerations

- Adherence to financial budget;
- Timely identification of the challenges and obstacles;
- Consultative programme development with mitigation strategies;
- Quality programme content;
- Gender representation;
- Minorities (religious and ethnic where applicable) representation;
- Expert review/input of activities
- Qualified professional staff for programme implementation;
- Use of relevant platforms in accordance with the objectives of the activities and the Strategic Plan;
- Documentation of activities/interventions.

Check List

The Monitoring and Evaluation Framework employed by the SHRC may include the following checklist:

- **Relevance:** Was/is the activity/ task a good idea given the situation to improve? Was the logic of the intervention correct?
- **Effectiveness:** Have the planned results been achieved?
- **Efficiency:** Have resources been used in the best possible way?
- **Impact:** To what extent has the activity contributed towards its longer term goals? Why, or Why Not? Have there been any unanticipated positive or negative consequences of the activity? Why did they arise?

Sustainability - Will there be continued positive impacts as a result of the activity once it has finished?

Suggested Framework

Each activity will be reviewed on the basis of the following outline:

Monitoring and Evaluation Plan						
Goal	Indicator	Activities	Output	Outcome	Means of Verification (Data Sources)	Intended Impact
Objective 1						



Annexure 5

Rules of Business

GOVERNMENT OF SINDH LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS DEPARTMENT
Karachi dated the 20th December, 2013

NOTIFICATION

<p>NO. S.Reg:4(11) 2013/83:- In exercise of the powers conferred by section 12 of the Sindh Protection of Human Rights Act, 2011, the Government of Sindh are pleased to make the following rules to regulate the conduct of its business:-</p>	
<p>1. (1) These rules may be called the Sindh Human Rights Commission Rules, 2013. (2) They shall come into force at once.</p>	<p>Short title and commencement</p>
<p>2. (1) In these rules, unless there is anything repugnant in the subject or context - (a) "Act" means the Sindh Protection of Human Rights Act, 2011; (b) "agenda" means list of business to be disposed of in a meeting; (c) "business" means the business of the Commission under the Act; (d) "Chairperson" means the Chairperson of the Commission; (e) "Commission" means the Sindh Human Rights Commission constituted under section 3 of Act; (f) "Committee" means a committee or sub-committee appointed by the Commission for a particular matter; (g) "Government" means the Government of Sindh; (h) "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan 1973 and enforceable by law; (i) "meeting" means a meeting of the Commission; (j) "member" means a member of the Commission; (k) "Registrar" means the Registrar of the Commission; (l) "Secretary" means the Secretary of the Commission; (m) "section" means a section of the Act. 2. (2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them under the Act.</p>	<p>Definitions</p>
<p>3. The headquarter of the Commission shall be at Karachi and the Commission may, with the previous approval of Government, establish offices at District level.</p>	<p>Headquarters</p>
<p>4. Subject to the provisions of the Act, the Commission shall - (i) sponsor, steer, encourage research to generate information, analysis and studies and maintain a database relating to human rights issues; (ii) develop and maintain interaction and dialogue with non-governmental organizations, experts and individuals, association in society with similar commissions and institutions in other countries for collaboration and action to achieve the maximum target to stop violation of human rights at the national, regional and international level of training standards;</p>	<p>Powers and Functions of the Commission</p>



<p>(iii) mobilize grants from domestic and international, including multi and bilateral agencies approved by Government for meeting any of its obligations or performing its functions;</p> <p>(iv) seek and receive information, data and documents from any provincial source or entity in the course of performance of its functions;</p> <p>(v) call for information or report from Provincial or District Government, civil society organization and autonomous body concerned while inquiring into complaints of violations of human rights;</p> <p>(vi) inspect or visit under intimation to Government and in accordance with the relevant laws and rules, any jail, sub-jail or other places of custody where innocent citizens are kept, detained and admitted for treatment, reformation or protection, and to see the living conditions of the inmates and to make appropriate recommendations to the authorities concerned;</p> <p>(vii) appoint advisors, consultants and experts, if necessary, with the approval of Government.</p>	
<p>5. All business of the Commission shall be disposed of in a meeting which may be held in accordance with the provisions herein contained</p>	<p>Transaction of meeting Business</p>
<p>6. (1) There shall be held ordinary meetings and special meetings.</p> <p>(2) An ordinary meeting shall be held as often as may be necessary but at least once in three months.</p> <p>(3) A special meeting shall be convened as soon as may be on receipt of requisition in writing by at least three or more members and such meeting shall be convened after giving at least three days’ notice within a period of not exceeding fifteen days of receipt of such requisition.</p> <p>(4) The Secretary under the instructions of the Chairperson shall convene meetings on such date and time as fixed by the Chairperson.</p> <p>(5) A special meeting shall have priority over an ordinary meeting.</p>	<p>Meetings</p>
<p>7. (1) Seven days clear notice shall be given for an ordinary meeting and three days clear notice for a special meeting.</p> <p>(2) The Secretary shall cause a notice with a copy of agenda to be served on the members and a copy thereof be pasted at the office of the Commission.</p> <p>(3) The notice shall inter alia specify the place, date and time of the meeting and be accompanied by an agenda.</p>	<p>Notice of meeting</p>
<p>8. (1) The agenda for a meeting shall be prepared by the Secretary with the approval of the Chairperson.</p> <p>(2) The agenda for an ordinary meeting shall be prepared in the following order:-</p> <p>(a) confirmation of the minutes of the previous meeting;</p> <p>(b) all matters deferred in previous meeting including directions of Government, if any;</p> <p>(c) reports of the committee or sub-committee;</p> <p>(d) any other business with the permission of the Chair.</p> <p>(3) The agenda for special meeting shall be prepared in the following order:-</p> <p>(a) consideration of the matter for which the meeting has been convened;</p> <p>(b) any other business approved by the Chairperson;</p> <p>(4) Subject to the availability and the orders of the Chairperson, the members shall be provided copies of documents or information relating to the matters on agenda.</p>	<p>Agenda</p>



<p>9. No meeting may be adjourned until the agenda thereof is disposed of or a resolution of adjournment is passed or the Chairperson for any reason to be recorded in writing.</p>	<p>Adjournment of meeting</p>
<p>10. The business shall be considered in the order prepared under rule 8 but the Chairperson on its own or on the motion of at least three members may change the order.</p>	<p>Consideration of business</p>
<p>11. (1) The Chairperson shall be the Chief Executive of the Commission and also shall act as Principal Accounting Officer and shall have inter-alia following functions and powers:- (i) to coordinate, supervise and manage the work of the Commission and exercise general supervision and control the affairs of the Commission; (ii) to preside over every meeting of the Commission and in his or her absence, by the member elected by the members present in the meeting from amongst themselves and the person so elected shall exercise all the powers of the Chairperson under these rules during a meeting; (iii) to interact closely with all Ministries and Departments at Federal and Provincial level with regard to the affairs of the Commission; (iv) to delegate by general or special order, the powers and functions of the Chairperson to any member, officer or Secretary of the Commission.</p>	<p>Powers and Functions of the Chairperson</p>
<p>12. The Members of the Commission shall have following powers and functions:- (i) to assist the Chairperson to coordinate and support the work of Commission; (ii) to assist the Commission in its mandate and functions particularly in the planning, implementation, monitoring and networking roles with all stakeholders including Government, civil society and the international community; (iii) to liaise with members of other similar Commissions, Provincial Secretariat and regional offices; (iv) to perform such other duties and functions as may be assigned by the Chairperson.</p>	<p>Functions of the Members</p>
<p>13. Subject to the provisions of the Act, the Secretary shall have the following powers and functions :- (i) to prepare, under the directions of the Commission or Chairperson, three years strategic plan, annual work plan and annual budget for the approval of the Commission and forward to the concerned authority. (ii) to carry out administrative orders and decisions of the Commission; (iii) to perform such other duties and functions as may be assigned to him by the Commission or Chairperson.</p>	<p>Functions of the Secretary of the Commission</p>
<p>14. The Commission may co-opt any person expert or advisor to attend a meeting, if need be, but he shall not be entitled to vote.</p>	<p>Commission to co-opt expert or advisor</p>
<p>15. (1) The quorum for a meeting of the Commission shall be four members. (2) A meeting shall be adjourned for want of a quorum but no quorum shall be necessary at a meeting held after the meeting which was adjourned for want of quorum. (3) The members shall inform in writing to the Chairperson in advance with regard to their absence from Commission's meetings.</p>	<p>Quorum</p>



<p>(4) Any member of the Commission who is absent from the Commission's three consecutive meetings without giving cogent reasons shall be issued notice and his absence would be reported to Government for action.</p>	
<p>16. (1) All matters in the agenda shall be decided by the majority of votes of the members present in the meeting. (2) The voting shall be by show of hands. (3) The result of the voting shall be declared after the voting by the Chairperson and such declaration shall be final and conclusive. (4) In the case of an equality of votes, the Chairperson or member presiding a meeting shall have a casting vote.</p>	<p>Decision</p>
<p>17. (1) Minutes of the proceedings of each meeting shall be drawn up by the Secretary. (2) The minutes shall comprise of, the names of members present at the meeting and the number of items brief notes and decisions taken. (3) The minutes shall be submitted to the Chairperson for approval and signed by the Chairperson or the Presiding Member and circulated amongst the members within two weeks after the meeting. (4) A copy of the minutes of the proceedings of each meeting duly confirmed shall be recorded in a minute's book maintained for the purpose.</p>	<p>Minutes of the Proceedings</p>
<p>18. (1) The Commission may appoint such number of committees and sub-committees as may appear to it, to be necessary for technical and other advice on matters referred to it, such as – (a) experts on human rights; (b) liaising and networking between Commission, Government Departments and stakeholders; (c) budget and finance. (2) The business of every committee and sub-committee shall be conducted in such manner as it may decide. (3) Every committee or sub-committee shall be headed by one of the Members appointed by the Chairperson. (4) The Member, so appointed shall preside the meeting of the committee. (5) The proceedings or report of the committee or sub-committee shall be submitted to the Chairperson as early as possible for placing it before the Commission. (6) Any member who is absent from three consecutive meetings of the Committee and Sub-Committee without showing sufficient cause, he or she shall cease to be a member of the Committee and in his or her place another member shall be appointed.</p>	<p>Appointment of Committees and Sub-committees</p>
<p>19. (1) All correspondence of the Commission with Government or any authority or person shall be conducted by the Chairperson through Secretary. (2) The Secretary shall be responsible for day to day affairs of the Commission and shall perform such functions as may be assigned to him by the Commission or Chairperson</p>	<p>Correspondence to be conducted by the Chairperson through Secretary</p>
<p>20. The members of the committee or sub-committee shall be honorary members and shall not be paid any remuneration except the expenditures which may include travelling, boarding and lodging costs, their rates may be determined by the Commission.</p>	<p>Remuneration for committee or sub-committee.</p>



<p>21. (1) All petitions, applications, emails, faxes, suo-moto notice or telephonic information addressed or communicated made to the Commission, its Chairperson, members or Secretary either by name or designation shall be entertained and registered by the Commission in the register meant for the purpose.</p> <p>(2) A register shall be maintained by the Commission for entering in, serial wise, the petition, application, communication and suo-moto notice and shall be placed before the Chairperson or Members for preliminary consideration, as expeditiously as possible but not later than three days from the date of its receipt. Provided that the petition, application, communication or suo-moto notice which requires urgent consideration shall be placed before the Chairperson as for as possible within twenty four hours of its receipt.</p> <p>(3) No fee shall be chargeable on such petitions, applications, or other communications.</p> <p>(4) The petition, application or other communication shall disclose the facts leading to the violation of human rights.</p> <p>(5) The Chairperson or Members may issue notice to victim, applicant or petitioner for personal hearing or to any other person who in the opinion of the Chairperson or Members should be heard for appropriate disposal of the matter.</p> <p>(6) The Commission may seek further information or affidavit as may be considered necessary.</p> <p>(7) The Commission upon consideration of the report and personal hearing of applicant, petitioner and victim shall call comments from the concerned authority, institution or department and thereafter recommend the Government remedial measures including action to be taken against the person involved in the violation of human rights.</p>	<p>Petitions, applications and other communications.</p>
<p>22. The Commission may dismiss in-limine the petition, application or other communication of the following nature:-</p> <ul style="list-style-type: none"> (i) illegal (ii) vague, anonymous, pseudonymous; (iii) allegations do not make out any specific violation of human rights; (iv) matter is sub-judice before court or tribunal; (v) the matter is outside the purview of the Commission on any other grounds. 	<p>Dismissal of petition, application or other communication</p>
<p>23. (1) Each member shall be assisted by the Registrar or any officer authorized in this behalf, when member takes up for consideration the case assigned to him or her for final disposal. It shall be the duty of the Registrar or authorized officer to study and present the cases and render such other assistance as may be required for consideration and disposal of the cases.</p> <p>(2) If on consideration of the petition or application, the Commission dismisses the petition or application in-limine, the said order shall be communicated to the petitioner or applicant and the case shall be treated as closed.</p> <p>(3) If on consideration of the petition, application, other communication or suo-moto notice, the Commission admits and directs issuance of notice to any authority calling upon it to furnish information or report or comments, a notice shall be issued enclosing copy of the application, petition or other communication and notice shall be signed by the Registrar.</p> <p>(4) On receipt of the information or report or comments called for, a detailed note in the form of a synopsis shall be prepared or caused to be prepared by the Registrar or authorized officer, whereupon the case shall be treated as ready for being placed before the Commission for final disposal.</p>	<p>Disposal of other petitions, applications and suo-moto actions</p>



<p>(5) When the Commission upon consideration of the information, report or comments finally disposes of the case without any recommendation, the case shall be treated as closed.</p> <p>(6) If the report, information or comments is not received from the concerned authority within the given time, the case shall be placed before the Commission for further directions.</p>	
<p>24. (1) The records of all cases finally disposed of shall be transmitted to the Record Section after completing the entries in the register with regard to each such case.</p> <p>(2) Unless otherwise directed by the Chairperson, the entire records of disposed of cases shall be destroyed after the expiry of a period of two years from the date of final disposal. However, register containing detailed information regarding such cases shall be retained permanently.</p>	<p>Transmission of records</p>

MIR MUHAMMAD SHAIKH
LAW SECRETARY

No. S. Reg: 4(11)2013/ Karachi, dated the 20th December, 2013.

A copy is forwarded for information to:-

1. The Chief Secretary, Government of Sindh, Karachi.
2. The Principal Secretary to Chief Minister Sindh, Karachi.
3. The Advocate General Sindh, Karachi.
4. The Solicitor, Government of Sindh, Karachi.
5. The Official Assignee, Karachi.
6. The Director, Human Rights, Government of Sindh, Karachi.
7. P.S. to Minister, Law & Parliamentary Affairs, Sindh, Karachi.
8. P.S. to Minister for Human Rights, Sindh, Karachi.
9. P.S. to Secretary, Law Department, Government of Sindh, Karachi.
10. P.S. to Secretary (Services), SGA&C Department, Govt. of Sindh, Karachi.
11. The Director (Press), Information Department, Govt. of Sindh, Karachi.

(BASHIR AHMED MEMON)
DEPUTY SECRETARY (REGULATION)
FOR SECRETARY TO GOVERNMENT OF SINDH
LAW DEPARTMENT.



Annexure 6

Profiles of SHRC Members



JUSTICE (R) MAJIDA RAZVI

Chairperson, Sindh Human Rights Commission



Academic Qualifications:

- M.A. Political Science and International Relations from Karachi University
- LL.B from Karachi University

Judicial Positions Held:

- Holding a unique position of being the first Woman Judge of a High Court of Pakistan
- Elevated to the position of Judge, at the Sindh High Court Bench in 1994. Retired in 1999
- Practicing Advocate (1963-1994) as a Corporate lawyer

Judicial & Administrative Work Experience

- As a Judge, presided over Single & DB in numerous cases, providing justice in the form of landmark judgments
- As an advocate, deliberated on hundreds of cases on the civil side
- Provided free legal advice to the needy people, through various social work organizations and convincingly got justice for them
- Former Chairperson of the National Commission on the Status of Women, from March 2002 to March 2005
- A prolific writer. Author of hundreds of articles on legal issues pertaining to women and children
- Have been participating in national and international conferences, as speaker, since 1964 to date
- Member of Commonwealth Team to monitor elections in Tanzania in 2005
- Nominated for Nobel Peace Prize in 2005
- Addresses on national & international issues, particularly on human and women rights, through print and electronic media
- Also practiced at the Supreme Court of Pakistan

Awards:

- Women of the Year Award 1994-95
- Pakistan Golden Jubilee Celebration Award for Services in Judiciary 1997
- Heroine Award (International) for Social Work
- "Allah" Award 2003 (For Outstanding Women)
- Karachi Cosmopolitan Rotary Award for Outstanding Services 1992-93
- PAK EXPO Award for Outstanding Performance in the Field of Jurisprudence 1990
- Lions Club Merits Award 1991
- Women's Excellence Award 2006
- Human Rights Society of Pakistan Award 2007
- Women Achievers Award 2007 from I Plus



- Rotary International Award of Service above Self 2012
- Human Rights Defender Award from the Government of Pakistan 2012

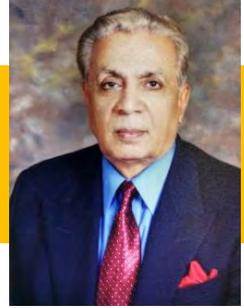
Currently:

- Head of the Evaluation Committee of Kidney Transplant, SIUT
- Trustee Panah Trust – Karachi
- Trustee Helpline Trust



Syed Hassan Shah Bukhari

Member, Sindh Human Rights Commission



Academic Qualification:

- B.A, University of Sindh
- LLB, University of Sindh

Special Qualification:

Special Sharia Course from Islamic University, Islamabad for Judicial Officer at Islamabad and Saudi Arabia

Judicial / Administrative Experience:

- Selected as Civil Judge and FCM through Public Service Commission Sindh
- Senior Civil Judge and Assistant Session Judge
- Additional District and Session Judge
- Deputy Solicitor, Government of Sindh
- District and Sessions Judge
- Special Judge, Anti-Corruption and Immigration, Central Govt, Karachi
- Special Judge (Custom, Taxation & Anti-Smuggling), Central Govt, Karachi
- Chairman, Drug Court Sindh & Balochistan at Karachi
- Chairman / Judge, Appellate Tribunal Local Council, Sindh, Karachi
- Member, Provincial Local Government Council Sindh
- Chairman, Commercial Court, Central Government, Karachi
- Presiding Officer, Special Court (Offences in respect of Banks), Central Government, Karachi
- Member, Chief Minister's Inspection Enquiries & Implementation Team, Sindh
- Regional Director, Provincial Ombudsman, Sindh
- Member Sindh Service Tribunal
- Presiding Judge, Anti- Terrorism Court No. 1, Karachi
- Judicial Consultant, Chief Minister Sindh Inspection Team

Special Honour:

Member Board of Governors for Law Colleges, Karachi.



Ms. Kulsoom Chandio

Member, Sindh Human Rights Commission



Academic Qualifications:

- M.A. (Economics) and L.L.B

Experience

- Member Sindh Bar Council
- Social Worker
- Politician since 40-45 years
- Presently serving as a Member of Provincial Assembly of Sindh since the last seven years
- Chairperson Forest Committee, Sindh Assembly
- Member Sindh University Syndicate



Ms. Sharmila Faruqui

Member, Sindh Human Rights Commission



Academic Qualifications:

- BA, LLB, LLM, Post-Graduation in Business Administration, 'O' Level from Cambridge University, London
- Former Special Assistant to Chief Minister/ Minister for Culture & Tourism
- Secretary Information PPP (Women Wing) Sindh
- Attended a number of vocational courses in Human Resource Management, Medical First Aid, Interior Decoration, Arts, French & Arabic languages, Law and Social Sciences.

Ms Sharmila Sahebah Faruqui is professional with highly diverse work experience in Politics, Law, Education, Human Rights, Media and Project Management. Presently, she is Special Assistant/Minister Incharge of Culture & Tourism Government of Sindh. She has also held portfolios of Minister Incharge of Information & Archives, Media, Auqaf and Vice Chairperson of Education Reform Support Unit (RSU), Steering Committee, Government of Sindh.

She has also been Incharge of 'Sasti Roti' project, Government of Sindh. Chairperson of National Peace Committee for Interfaith Harmony, Sindh, appointed by the Government of Pakistan, Member of the Advisory Board of 'Drug Free Pakistan Foundation' an organization established with the cooperation of Narcotics Affairs Section (NAS) of the U.S. Embassy for the treatment and rehabilitation of drug addicts. She has also been a Member of the Sindh Bar Council and the Sindh High Court Bar Association.

She has been writing English and Urdu columns/Articles in leading national newspapers since more than 15 years. These columns cover national and regional issues relating to current affairs, economic, social issues and politics etc.

In recognition of her meritorious reformative work in various fields, she has been awarded following awards:

- Sitar-e-Imtiaz, Civil Award of Pakistan
- Appreciation Award by The Asia Foundation for services in fight against tuberculosis
- United Human Rights Commission of Pakistan Shaheed Bhutto Award for Efforts in Loyalty, and Human Rights in Pakistan
- Award for recognition for her contributing services in continuing medical education
- Special Friends Organization Award in Services for Special Children
- Hamdard University Award for Participation in Campaign for Access to Healthcare for All.
- Shah Abdul Latif Bhitai Award for Best Columnist
- Benazir Bhutto Human Rights Award by the President of Pakistan – 2012

In Sindh Provincial Assembly she has submitted & processed a number of Bills during 2013 to 2015. Two of these bills have already been passed as Laws by the Sindh Provincial Assembly.



Ms Shamshad

Member, Sindh Human Rights Commission

Academic Qualifications:

- BA

Experience:

- Women Social Worker
- Ex-lady Councilor M.C. Hyderabad.
- Principal Arshad Academy, Teaching Experience
- Striving for Women's Basic Rights
- Human Rights Worker
- As Councilor, helped a number of women victims of rights violations



Ms Rubina Brohi

Member, Sindh Human Rights Commission



M.A, LL.B, LL.M
Advocate High Court
Program Officer –CBU-GEP-USAID, Aurat Foundation
Former, Legal Consultant, National Accountability Bureau (NAB)

A professional with highly diversified work experience in Law and Education sectors, Advocate Rubina Aman Brohi is working as Member of the Sindh Human Rights Commission since April 2013. Rubina enjoys highly diversified experience in law, project management, and education. She has worked as Legal Consultant in the National Accountability Bureau (NAB Sindh), and has also volunteered in Karachi Law Clinic - a free legal aid trust in Karachi. She is associated with the Aurat Publication and Information Services Foundation, an internationally acclaimed organization working for women empowerment in Pakistan, for the last 8 years

Adv. Rubina has vast experience in the development sector spanning over a period of 14 years, and has worked on the projects of some of the leading NGOs of the country with a focus on the vulnerable segments of society, especially women and children. This diversity in her portfolio has been instrumental in honing her leadership skills and enabled her team leading abilities to nurture in a proactive, motivating, and solution-oriented manner. She possesses excellent management, lobbying, advocacy and counseling skills. Being part of the Aurat Foundation her biggest achievement is passing of the Domestic Violence Act 2013, for which she along with other colleagues worked hard day and night, and a year later the Child Marriage Restraint Act 2014.

She worked closely with Parliamentarians, politicians, and Ministries & Departments of Law, Parliamentary Affairs, Social Welfare, Women Development, and Home Department to lobby and advocate for the promulgation of The Domestic Violence Act 2013 through personal interventions, initiating personal relationships and lobbying. The law was finally passed in the Sindh Assembly on 8th March 2013, which made history as this was the first Assembly among both Federal and Provincial Assemblies to pass this Law. It is a matter of great pride for Ms. Brohi that Parliamentarians personally acknowledged her work and dedication on the floor of the House while passing the law.

Apart from her services to the Sindh Human Rights Commission, Rubina is also working on a USAID project “Gender Equity Program” implemented by the Aurat Foundation which aims at closing the gender gap in Pakistan by proactively supporting the development of women – a subject that she holds close to her heart. Earlier, she worked in Legislative Watch program for women empowerment.

Advocate Rubina Brohi received the prestigious “Courageous Women Award” by the Pakistan Women Lawyers Association (PAWLA) last year.



Adv. Brohi holds membership of Women Lawyers Association (PAWLA), Human Rights Commission of Pakistan (HRCP), Pakistan India Peoples Forum for Peace & Democracy (PIPFPD), and Women Action Forum (WAF).



Sindh Human Rights Commission
Government of Sindh