



SINDH HUMAN RIGHTS COMMISSION

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PAKISTAN'S GSP+ OBLIGATIONS: NAVIGATING THE HUMAN & LABOUR RIGHTS COMPLIANCE IN SINDH

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ABBREVIATIONS

SHRC	Sindh Human Rights Commission
GSP+	Generalised Scheme of Preferences Plus
UN	United Nations
EU	European Union
EBA	Everything But Arms
EC	European Commission
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CAT	Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRC-AC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
CRC-OP-SC	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
ILO	International Labour Organisation
LDCs	Least Developed Countries
UNHRC	United Nations Human Rights Council
SR	Special Rapporteur
TIC	Treaty Implementation Cell
MIP	Multi-annual Indicative Programme
AAP	Annual Action Plan
NCHR	National Commission for Human Rights
NCSW	National Commission on the Status of Women
NCRC	National Commission on the Rights of the Child
KP	Khyber Pakhtunkhwa
SCSW	Sindh Commission on the Status of Women
HRW	Human Rights Watch
EPZs	Export Processing Zones
SEZs	Special Economic Zones
NGOs	Non Government Organisations
PHRVC	Provincial Human Rights Vigilance Committee
DVCs	District Vigilance Committees
NILAT	National Institute of Labour Administration Training
CBA	Collective Bargaining Agent
SESSI	Sindh Social Security Institute
ICT	Islamabad Capital Territory
EOBI	Employees Old-age Benefit Institution
SPO	Strengthening Participatory Organisation
UNORC	UN Office on Drugs and Crimes
GDP	Gross Domestic Product
UNICEF	United Nations Children Fund

MESSAGE FROM THE CHAIRPERSON

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Achieving respect for people's rights and fundamental freedoms is an essential aspect of democratic societies. The Constitution of the Islamic Republic of Pakistan guarantees the rights of its citizens, reflecting a significant privilege for me to express my views on the Sindh Human Rights Commission's report which reflects the GSP+ compliance status in Sindh.

Leading the Sindh Human Rights Commission (SHRC) as Chairperson is a privilege, particularly in the context of institutional endeavours aimed at realising the rights of the people in Sindh and setting an example for other provinces of Pakistan to follow.

Alongside, the SHRC acknowledges the continued efforts of the Sindh government on its way to improving human rights policy design and delivery in the province, including the formulation of a provincial human rights policy and relevant legislative and institutional developments. Against the backdrop of these developments, it is expected that the provincial government will ensure adherence to the recommendations outlined in this paper, not only to improve compliance with GSP+ obligations but also to pave the way for democratic consolidation and respect for people's rights in the province.

This report, prepared by the SHRC, offers insights into labour and human rights policy design and delivery in the context of GSP+ compliance obligations focusing on Pakistan in general and Sindh in particular. Additionally, it offers an overview of the challenges and recommendations aimed at fulfilling GSP+ obligations, ultimately aiming to improve respect for labour and human rights in Sindh.

Despite efforts to embed the human rights discourse into our institutional mechanisms, there is still a long journey ahead to strengthen human rights protection in the province. Despite, our efforts would undoubtedly contribute to achieving the universal goals of protecting the rights of citizens and eliminating all forms of discrimination in Pakistan.

I am extremely hopeful that the findings and recommendations outlined in this comprehensive report will pave the way to help us recognise and uphold people's legitimate rights in Sindh and beyond.

Iqbal Ahmed Dethio

Chairperson, Sindh Human Rights Commission



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1. ABOUT SINDH HUMAN RIGHTS COMMISSION (SHRC)

Established in 2013, under Section (4) of the Sindh Protection of Human Rights Act 2011, the Sindh Human Rights Commission (SHRC) is empowered to enquire into “violation of human rights or abetment thereof, and negligence in the prevention of such a violation by a public servant” empowers the Commission to oversee the implementation of all fundamental human rights as enshrined in the Constitution of Pakistan. By virtue of its functions, SHRC also ensures that Pakistan is complying with all the international legal frameworks that are in place to protect and promote the human rights of member states of the United Nations and the international community.

SHRC is envisioned to create a society free of all forms of violence and extremism and based on an environment of peace, interfaith harmony and justice. The mission of the commission is “To Protect the Fundamental Human Rights enshrined in the Constitution of Islamic Republic of Pakistan 1973, Universal Declaration & Charter of UN”.

1.1. SHRC'S MANDATE

The Sindh Protection of Human Rights Act, 2019 authorises the Commission to inquire into the complaints as well as take Suo Moto actions against human rights violations; visit jails to protect the rights of detainees, and recommend measures to improve the state of affairs at these facilities; review policies around human rights, track the status of their implementation, and recommend updating these policies as required; conduct research and reviews of international laws, national policies, and practices around human rights and propose changes; and work to improve human rights awareness among masses, and carry evidence-based advocacy.

The law also establishes the Commission as an alternate dispute resolution and accountability mechanism for human rights violations related to business activities. It further empowers the Commission to review the current legal and constitutional safeguards, including those within the sphere of the Business and Human Rights Action Plan. Additionally, the law authorises the Commission to recommend measures, following the UN Guiding Principles, to effectively integrate due diligence procedures within business enterprises.

Specifically, section 3 (vi) (of Part-III) of the Sindh Protection of Human Rights (Amended and Integrated) Act, 2023, provides for the Commission to study treaties and other international instruments on human rights and make recommendations for their effective implementation, and section 3 (vii) empowers the Commission to undertake and promote research in the field of human rights. Likewise, Section 1 (ii-a) of the law authorises the Commission to serve as an alternate dispute resolution and accountability mechanism for business related abuse of human rights and providing easy access to remedy.

Compliance as a Shared Responsibility - As per the National Policy Framework on Human Rights 2022-2027 (currently available at the Federal Ministry of Human Rights official website), the 2010 Constitutional amendment decentralised the federation's powers and reinforced multi-level governance by extending greater autonomy to the provinces. Thus, **the subject of human rights (including labour rights) has mostly been devolved to the provinces**. However, the subjects of, inter alia, international treaties lie within the domain of the federal government. ¹ Section 3 of the Federal Legislative List (Part I) describes that the federal government holds the responsibility to deal with external affairs including, inter alia, implementation of treaties and agreements.

The policy framework further states that at the federal level, Pakistan has a Ministry of Human Rights and corresponding provincial departments dedicated to the subject of Human Rights. The Ministry of Human Rights is mandated to perform major functions for the protection and promotion of human rights. This includes reviewing the human rights situation in the country, reporting on ratified Conventions, and serving as a coordinating body responsible for liaising with the provinces that deal with the subject of Human Rights. The aim is to ensure coherence and alignment with international obligations. **Adherence to international commitments on Human Rights is a shared responsibility**, and the Federal Government prepares country reports on various Conventions, incorporating data and input from the provinces. This reflects a concerted effort to address key regional inequalities and bring decision-making closer to the beneficiaries.³ To serve this purpose, the federal Ministry of Human Rights has established the Human Rights Coordination and Monitoring Unit for National Mechanism for reporting and Follow-up that follows UN guidelines for engaging with international human rights mechanisms.

2. CONTEXT: PAKISTAN'S GSP+ STATUS

Pakistan has benefitted from the European Union's Generalised Scheme of Preferences Plus (GSP+) status. It was awarded in January 2014 and expired in December 2023.⁵ However, the European Parliament has decided to extend this scheme for another four years till the end of 2027.⁶

The GSP scheme implemented by the European Union (EU) is a trade incentive program designed to lower or eliminate import duties on products entering EU markets from developing countries.⁷ The EU relates the GSP scheme with the United Nation's first Conference on Trade and Development in 1964 where developed countries were asked to help developing countries integrate into the world economy.⁸

The status offered preferential access to Pakistan's exports to the European Markets. However, this tariff preference comes with the conditions to ratify, maintain ratification and ensure compliance with 27 international conventions on human rights, labour rights, climate change and good governance.

The EU's trade incentive scheme is broadly categorised as i) Standard GSP, where low or lower-middle income countries benefit from reduced or eliminated import duties on two-thirds of tariff lines; ii) GSP+, providing vulnerable economies with complete removal of tariffs on the same products; and iii) Everything But Arms (EBA), allowing least developed countries to export everything except arms to the EU without incurring duty or quota restrictions.⁹

Other than Pakistan, Armenia, Bolivia, Cabo Verde, Kirgizstan, Mongolia, the Philippines, Sri Lanka and Uzbekistan have been enjoying the EU's GSP+ Status. Despite global economic challenges, Armenia managed to graduate from the GSP+ scheme in January 2022.¹⁰

However, Pakistan's vulnerabilities have exposed the country's economy to an array of debt vulnerabilities¹¹. The given situation suggests that the World Bank may continue to describe Pakistan's economy as vulnerable, making it unable to achieve upper-middle economy status in the coming years. It increases the likelihood for Pakistan to negotiate with the EU for a new trade incentive package after the expiry of the existing GSP regulations.¹²

2.1. SIGNIFICANCE OF THE GSP+ SCHEME

The GSP+ status has contributed to strengthening the EU-Pakistan bilateral relations. From 2014 to 2022, Pakistan's exports to the EU witnessed an increase of 108%. According to the Ministry of Commerce, 28% of Pakistan's exports are directed to the EU markets. Pakistan's garments, bed linen, terry towels, hosiery, leather, sports, surgical goods and other similar products entered into the EU markets availing the GSP+ preferences. According to the European Commission's 2018 midterm review report, the scheme continued to be effective in fostering sustainable development, improved compliance with human and labour rights standards, and job creation in beneficiary countries. However, some labour and human rights activists argue that while it has contributed to strengthening trade relations between the EU and beneficiary countries, the socioeconomic benefits of the scheme have not sufficiently reached the labour force and vulnerable groups.

Largely, the Generalized System of Preferences (GSP) holds significant economic value for its beneficiaries especially during the period between 2014 and 2019, before the onset of the COVID-19 pandemic, total preferential imports from current GSP beneficiaries by the EU27 increased by 56%, three times faster than its overall imports from third world countries. Despite a slowdown in exports during and after the pandemic, the continued exports of beneficiary countries to the EU, benefiting from GSP, play a crucial role in maintaining economic stability, particularly during times of crisis.

Among all the other schemes, the GSP+ remained attractive to beneficiary countries as the analysis shows that this specific incentive package proved to be effective in the implementation of relevant international standards. The attraction towards GSP+ is further testified by the fact that a new GSP+ beneficiary –Uzbekistan - joined the arrangement, Tajikistan has formally applied to join the GSP+ in April 2023 and other countries, expected to graduate from EBA status, continue to show interest in doing so.

Nevertheless, the Generalized System of Preferences (GSP) brought significant benefits to the EU, beyond the economic and sustainability advantages for the beneficiaries. It is playing a crucial role in strengthening economic and political partnerships with beneficiary countries and fostering collaboration based on shared values and goals. This, in turn, contributes to the promotion of the international sustainability and development agenda. From an economic perspective, the GSP increased choices and affordability for EU companies and consumers, particularly with the goods being traded under the GSP scheme.

2.2. COMPLIANCE OBLIGATIONS: HUMAN AND LABOUR RIGHTS STANDARDS

The economically driven GSP+ status incentivises human rights, labour rights, environment protection and democratic governance reforms. Specifically, by accepting GSP+ status, Pakistan committed to 1) maintaining the ratification of 27 relevant conventions and ensuring their effective implementation, 2) accepting without reservation the reporting requirements imposed by each convention and regularly monitoring and reviewing the implementing record of relevant monitoring bodies, and 3) participating in, and cooperating with, the European Commission's monitoring procedures. Out of the total 27 international conventions, the following core human rights Treaties are part of the GSP+ compliance obligations:

1. International Covenant on Civil and Political Rights (ICCPR);

2. International Covenant on Economic, Social and Cultural Rights (ICESCR);
3. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
4. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
5. Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
6. Convention on the Rights of the Child (CRC);
7. Convention on the Prevention and Punishment of the Crime of Genocide

Additionally, Pakistan is required to ensure compliance with the following eight core labour standards set by the International Labour Organization (ILO);

1. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
2. Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
3. Forced Labour Convention, 1930 (No. 29)
4. Abolition of Forced Labour Convention, 1957 (No. 105)
5. Minimum Age Convention, 1973 (No. 138)
6. Worst Forms of Child Labour Convention, 1999 (No. 182)
7. Equal Remuneration Convention, 1951 (No. 100)
8. Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

In addition to the above-mentioned labour and human rights treaties, Pakistan is required to ensure compliance with the following international treaties relevant to governance, climate change narcotics control;

- 1. Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973);
- 2. Montreal Protocol on Substances that Deplete the Ozone Layer (1987);
- 3. Basel Convention on the Control of Trans boundary Movements of Hazardous Wastes and their Disposal (1989);
- 4. Convention on Biological Diversity (1992);
- 5. The United Nations Framework Convention on Climate Change (1992);
- 6. Cartagena Protocol on Bio-safety (2000);
- 7. Stockholm Convention on Persistent Organic Pollutants (2001);
- 8. Kyoto Protocol to be United Nations Framework Convention on Climate Change (1998);
- 9. United Nations Single Convention on Narcotic Drugs (1961);
- 10. United Nations Convention on Psychotropic Substances (1971);
- 11. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988);
- 12. United Nations Convention against Corruption (2004);

2.3 FUTURE PROSPECTS OF GSP+ COMPLIANCE

The EU has proposed reforms to the current GSP regulations. The new GSP proposal eliminates the import-share criterion from the GSP+ vulnerability criteria, aiming to enhance the transition and sustained access to GSP+ status for Least Developed Countries (LDCs) that are expected to soon graduate from the LDC category. Additionally, the EU has introduced a framework for current GSP+ beneficiary countries to adapt to the new requirements. This includes offering an adequate transition period and requiring the submission of implementation plans. Moreover, the EU has increased the burden of compliance obligations for GSP beneficiary countries by incorporating six additional international conventions into the existing list of 27 treaties;

1. The Paris Agreement on Climate Change (2015) – replaced the Kyoto Protocol – already ratified by Pakistan;
2. The Convention on the Rights of Persons with Disabilities (CRPD) – already ratified by Pakistan ;
3. The Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OP-CRC-AC) – already ratified by Pakistan;
4. ILO Convention No 81 on Labour Inspection – already ratified by Pakistan;
5. ILO Convention No 144 on Tripartite Consultation-already ratified by Pakistan;
6. The UN Convention against Transnational Organized Crime – already ratified by Pakistan.

However, the EU's legislative process for the adoption of a revised GSP Regulation is still underway. Meanwhile, the European Commission has adopted a proposal for a prolongation of the current rules until the end of 2027 to ensure continuity and legal certainty during the ongoing legislative process.

2.4. STATUS OF COMPLIANCE

Pakistan has not only ratified but also maintained its ratification of all the required labour and human rights treaties relevant to the GSP+. Additionally, in 2011, Pakistan withdrew several reservations previously made on the International Covenant on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT) to qualify for GSP+ status.

Notably, fewer reservations were retained on ICCPR, ICESCR, CEDAW, and CAT. Since attaining GSP+ status, Pakistan has faced challenges in demonstrating progress on UN Treaty body compliance reporting. The country's efforts towards the implementation of most of the Treaty Bodies' recommendations have been slow. Further details are described below (refer to the table on the next page);

a. Ratification: Even before Pakistan achieved the GSP+ status, compliance conditions started impacting the country. As part of its efforts to acquire GSP+ status, Pakistan ratified both the International Convention on Civil and Political Rights (ICCPR) and the Convention Against Torture (CAT) in 2010. Later in 2011, to secure its eligibility for the scheme, the country withdrew reservations posed on certain articles of ICCPR and CAT . In addition, Pakistan ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (CRC-OP-SC) in 2011 . After attaining the GSP+ status in January 2014, Pakistan also ratified the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (CRC-OP-AC) in 2016.

b. Reservations: As per the Vienna Convention on the Law of Treaties, a reservation is a statement made by a State to exclude or modify certain provisions of a treaty in its application to that State. It allows a State to join a multilateral treaty it might otherwise avoid. Reservations can be made when signing, ratifying, accepting, approving, or acceding to a treaty. If a reservation is made upon signing, it must be confirmed upon ratification, acceptance, or approval. However, reservations cannot be contrary to the object and purpose of the treaty.

Nevertheless, Pakistan is a state party to all the GSP+ related human rights conventions. However, as mentioned above, the country withdrew reservations posed on certain articles of ICCPR and CAT in 2011 to secure its eligibility for the scheme. The country has withdrawn reservations on Articles 6, 7, 12, 13, 18, 19 and 40 of ICCPR. The reservation on Article 3 was narrowed down to Personal Law and Law of Evidence, and the reservation on Article 25 was restricted to the election of the President of Pakistan. On the Convention against UNCAT, it was decided to withdraw reservations on Articles 3, 4, 6, 12, 13 and 16. The reservation on Article 8 was retained. The declarations on Article 20 as provided in Article 28 (1) and Article 30 (1) were also retained. Yet, Pakistan is required to withdraw the remaining reservations posed on ICCPR, ICESCR, CEDAW and CRC. Other states that are party to these conventions have noted significant concerns about Pakistan's reservations and asked that they be removed .

TABLE: PAKISTAN'S RESERVATIONS TO HUMAN RIGHTS CONVENTIONS

TREATY	ARTICLES	RESERVATIONS
International Covenant on Civil and Political Rights (ICCPR)	<p>Article 3: “The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.”</p> <p>Article 25: “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.”</p>	<p>Article 3: “The Government of the Islamic Republic of Pakistan declares that the provisions of Article 3 of the International Covenant on Civil and Political Rights shall be so applied as to be in conformity with Personal Law of the citizens and Qanoon-e-Shahadat.”</p> <p>Article 25: “The Government of the Islamic Republic of Pakistan states that the application of Article 25 of the International Covenant on Civil and Political Rights shall be subject to the principle laid down in Article 41 (2) and Article 91 (3) of the Constitution of Pakistan.”</p>
International Covenant on Economic, Social and Cultural Rights (ICESCR)		<p>General reservation to interpret the covenant within the framework of Pakistan's constitution. “Pakistan, with a view to achieving progressively the full realization of the rights” recognized in the present Covenant, shall use all appropriate means to the maximum of its available resources.”</p>

TABLE: PAKISTAN'S RESERVATIONS TO HUMAN RIGHTS CONVENTIONS

TREATY	ARTICLES	RESERVATIONS
<p>Convention on the Elimination of All forms of Discrimination against Women (CEDAW)</p>	<p>Article 29(1): “Any dispute between two or more States Parties concerning the interpretation or application of the present Convention which is not settled by negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration, any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.”</p>	<p>General reservation that accession is subject to Pakistan's Constitution. Declaration: “The accession by [the] Government of the Islamic Republic of Pakistan to the [said Convention] is subject to the provisions of the Constitution of the Islamic Republic of Pakistan.”</p> <p>Article 29 (1): “The Government of the Islamic Republic of Pakistan declares that it does not consider itself bound by paragraph 1 of article 29 of the Convention.”</p>
<p>Convention against Torture and other cruel, Inhuman or Degrading Treatment or Punishment (CAT)</p>	<p>Article 8 (2): “If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider this Convention as the legal basis for extradition in respect of such offences. Extradition shall be subject to the other conditions provided by the law of the requested State.”</p> <p>Article 28 (1): Each State may, at the time of signature or ratification of this Convention or accession thereto, declare that it does not recognize the competence of the Committee provided for in article 20.</p> <p>Article 30 (1): “Any dispute between two or more States Parties concerning the interpretation or application of this Conven-</p>	<p>Article 8 (2): “The Government of the Islamic Republic of Pakistan declares that pursuant to Article 8, paragraph 2, of the convention, it does not take this Convention as the legal basis for cooperation on extradition with other States Parties.”</p> <p>Article 28 (1): “In accordance with Article 28, paragraph 1, of the Convention, the Government of the Islamic Republic of Pakistan hereby declares that it does not recognize the competence of the Committee provided for in Article 20.”</p> <p>Article 30 (1): “The Government of the Islamic Republic of Pakistan does not consider itself bound by Article 30, Paragraph 1 of the Convention.”</p>

TABLE: PAKISTAN'S RESERVATIONS TO HUMAN RIGHTS CONVENTIONS

TREATY	ARTICLES	RESERVATIONS
	Convention which cannot be settled through negotiation shall, at the request of one of them, be submitted to arbitration. If within six months from the date of the request for arbitration, the Parties are unable to agree on the organization of the arbitration, anyone of those Parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court."	

c.Reporting to the UN Treaty Bodies: On the way to ensure compliance with GSP+ obligations, Pakistan started showing progress on UN Treaty body compliance reporting. For example, the country submitted its overdue reports on the Convention on the Rights of the Child (CRC) in May 2014 as well as on the Convention Against Torture (CAT), International Covenant on Civil and Political Rights (ICCPR), Convention on Elimination of Racial Discrimination (CERD), and International Covenant on Economic, Social and Cultural Rights (ICESCR) in 2015. Furthermore, the country submitted its report on CEDAW in October 2018 which was due in March 2017, and the report on CERD was submitted in October 2021 which was due in January 2020.

TABLE: PAKISTAN'S UPDATED REPORTING STATUS ON HUMAN RIGHTS CONVENTIONS ³³

TREATY	DUE DATE	DATE OF SUBMISSION
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	12 May 2021	16 June 2022
International Convention on Civil and Political Rights (ICCPR)	18 July 2020	16 June 2022
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (reporting cycle V)	01 March 2017	09 October 2018
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	04 January 2020	28 October 2021
International Covenant on Economic, Social and Cultural Rights (ICESCR)	30 June 2022	24 May 2023
Convention on the Rights of the Child (CRC)	11 June 2021	03 August 2023
Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (CRC-OP-SC)	04 August 2013	01 March 2019
Convention on the Rights of Persons with Disabilities	05 August 2013	18 October 2019

As the table indicates, Pakistan lags behind in compliance reporting to the UN Treaty bodies, particularly in terms of delayed submission of reports. Consequently, the European Delegation has expressed concerns about Pakistan's lack of compliance with the requisite human rights conventions as well as its delayed and, at times, absent reporting.

d. Implementation of the Treaty Bodies Recommendations: According to the EU's 2020-22 GSP+ assessment report for Pakistan, Implementation of most of the Treaty Bodies' recommendations remains slow and several of them have adopted written follow-up procedures as part of the review and engagement process.

e. Special Procedures: As per The EU's 2020-22 GSP+ assessment report for Pakistan, the country has extended the invitations to the following UN Human Rights Council (HRC) Special Procedure Mandate Holders;

- The Independent Expert on the effects of foreign debt;
- The Special Rapporteur (SR) on the right to education;
- The Special Rapporteur on extreme poverty and human rights;
- The Special Rapporteur on the rights of persons with disabilities, and;
- The Special Rapporteur on the Right to Food.

However, according to the report, dates are not yet determined, and no SR visits took place during the monitoring period.

f. Institutional Arrangements for GSP+ Compliance: The federal and provincial Treaty Implementation Cells (TICs), established in 2015 by the Government of Pakistan, constitute a dedicated institutional framework to oversee and report on GSP+ implementation across the country. Notably, the provinces of Punjab and Sindh have successfully established permanent structures with dedicated resources, while other TICs continue to face capacity challenges.

In a positive recent development, on April 18, 2023, the Government of Pakistan established a National Compliance Centre which will collaborate with businesses to improve understanding of international compliance requirements and to foster a culture of equitable growth and discrimination-free workplaces.

2.5. THE EU'S ASSISTANCE IN GSP+ COMPLIANCE

Between 2019 and April 2022, an EU project supported Pakistan's efforts to improve compliance with human rights commitments. The project aimed to provide technical assistance and capacity development to key government ministries at federal and provincial levels, focusing particularly on the criminal justice chain. The overarching goals were to strengthen the capacity for implementing Pakistan's human rights agenda, raise public awareness and understanding of rights, and support the country in meeting its obligations under the GSP+ scheme. However, both the EU and the Federal Ministry of Human Rights are required to highlight the outcomes of the project.

As a step ahead, the EU-Pakistan 2021-2027 Multi-Annual Indicative Programme (MIP) was adopted in December 2021. As part of the Team Europe Initiative focusing on green growth and building back better,

it aims to mobilise support from EU Member States and contribute to the implementation of the Global Gateway in Pakistan.

The indicative financial allocation for the initial period of the MIP (2021-2024) is €265 million, targeting three priority areas: i) Green Inclusive Growth; ii) Human Capital; and iii) Governance, including the Rule of Law and Human Rights. The first set of actions under the Annual Action Programme (AAP) for 2022 includes initiatives in energy, rural development, and vocational education and training. These efforts will also contribute to the recovery efforts following the flood emergency of 2022. The AAP for 2023 is designed to address resilient post-flood recovery and reconstruction, particularly in the rural and livestock sectors. It will also focus on governance, the promotion of human rights, women's participation and leadership in political processes, and support for civil society.

Co-funded by the EU and Finland the Trade for Decent Work project has been implemented by ILO from 2019 to 2021 with a total budget of €6 million. The project aimed to promote the implementation of ILO fundamental conventions in specific countries under the EU GSP+ and EBA arrangements, being operated based on two frameworks: (1) a Global Facility, undertaking global initiatives in international labour standards and ad hoc support to specific needs of partner countries, and (2) a Country-focused Facility providing support for selected target countries each year. GSP beneficiaries included Bangladesh, Cabo Verde, Mongolia, Madagascar, Mozambique, Pakistan, and the Philippines are continue to benefit from this project. The implementation of the project will continue in 2022-2024. Again, it would be imperative for the EU, ILO and beneficiary countries, including Pakistan, to highlight the outcomes of the project.

2.6. KEY COMPLIANCE ACHIEVEMENTS

In its efforts to ensure compliance with GSP+ obligations, Pakistan was required to implement policy, legislative, and institutional arrangements both at national and sub-national levels, especially concerning labour and human rights conventions.

As a result, Pakistan started making progress on GSP+ compliance obligations after entering into an agreement with the EU in 2014. However, this progress witnessed a slowdown due to the emergence of political instability, changes in the international and regional geopolitical situation, and the onset of COVID-19. Nevertheless, the government has recently renewed its efforts to demonstrate progress on GSP+ compliance obligations following the resolution passed by the EU Parliament against Pakistan. As a result, the European Commission has intensified its dialogue with the government. As pointed out in the EU's 2018 GSP+ report, the lack of political will was one of the key reasons behind Pakistan's complacency in compliance with GSP+ obligations.

To achieve this objective, the Pakistani government reinstated the federal Ministry of Human Rights in November 2015, which had been merged with the Ministry of Law and Justice in 2013. Additionally, the government established Treaty Implementation Cells (TICs) at both the federal and provincial/territorial levels in November 2016, to enhance coordination between federal and provincial governments in implementing and reporting on GSP+-related international conventions. Taking a further step, the government established the National Task Force on Human Rights and its provincial chapters in 2018, to ensure the implementation of the National Action Plan for Human Rights which was introduced in 2016. Later in December 2021, Pakistan introduced the National Action Plan on Business and Human Rights.

Furthermore, the Pakistan government established the National Commission for Human Rights (NCHR) in 2015. However, the positions of the chairperson and members of the NCHR remained vacant after the expiry of the four-year term of the first batch of appointees in July 2019. Finally, in November 2021, the Chairperson and members of the Commission were appointed, and the NCHR is expected to resume operations after remaining practically dysfunctional for the last two years.

Similarly, the position of the chairperson of the National Commission on the Status of Women (NCSW) was filled in July 2021 after being vacant for over two years. Additionally, while the Commission on Protection of the Rights of the Child (NCRC) was notified in February 2020, the law to establish the Commission was passed by the parliament in 2017. The establishment of the National Commission on Minority Rights, as promised under the National Action Plan for Human Rights, has not materialized thus far. To move forward, the established Commissions are required to develop strategies to effectively protect human and labour rights and hold businesses accountable if involved in human rights violations.

In follow-up to the federal government's efforts to develop national human rights policies and systems, all four provincial governments are in the process of introducing human rights policies and action plans, while also establishing systems to ensure the protection of human rights. Punjab and Khyber Pakhtunkhwa (KP) provinces have respectively introduced human rights policy and action plan. Sindh has formulated the 2023-202 human rights policy which was notified on 24 October 2023. In addition, Sindh, KP, and Punjab provinces introduced labour policies in 2018.

Moreover, Pakistan's federal and provincial governments have introduced legislation, particularly aimed at protecting the rights of vulnerable communities, including women, children, minorities, transgender persons, and individuals with disabilities.

The EU's 2020-22 GSP+ assessment report for Pakistan highlights that since 2020, Pakistan has enacted significant laws in the field of human rights. These laws pertain to preventing and punishing torture, protecting journalists, addressing gender-based violence, preventing domestic violence, and, at the provincial level, promoting women's rights. Moreover, Pakistan adopted new labour laws in several provinces to align its legislation with international standards.

2.7. CONCERNS ON COMPLIANCE

While Pakistan is a state party to all the international treaties associated with GSP+ compliance obligations, it continues to face challenges related to compliance with the existing list of 27 international conventions. The EU has repeatedly expressed serious concerns over issues such as shrinking civic spaces, the death penalty, freedom of religion and belief, freedom of opinion and expression, as well as discrimination against women and minorities.

The EU continues to highlight the ongoing violations of labour rights in Pakistan, including the inadequacy of the labour inspection system, occupational safety and health issues, the ineffectiveness of labour courts, denial of workers' rights to strike, trade unionisation, and collective bargaining, as well as the persistent harassment and intimidation of trade union workers and the absence of tripartite mechanisms.

Furthermore, the EU's 2020-22 GSP+ assessment report for Pakistan highlights numerous anomalies regarding the impediments to the implementation of human rights conventions. These include legislative loopholes

and a lack of institutional arrangements, particularly concerning the death penalty, enforced disappearances, torture, and domestic violence. Moreover, the EU recommended Pakistan to withdraw restrictions on fundamental freedoms including freedom of expression, religion and belief, while also creating an enabling environment for media and civil society to operate independently.

The report further points out the persistent prevalence of child labour and forced labour, a low unionisation rate, and a lack of implementation of ILO conventions due to the limited capacity of the labour inspectorate. It also emphasises discrimination against women and minorities in the labour market and insufficient occupational safety and health measures.

Human Rights Watch (HRW) – in its comment piece on November 21, 2023 – notes that GSP+ rights conditions lack credibility due to a lack of clarity in compliance benchmarks. HRW further observes that, despite serious labour and human rights violations, the EU remains reluctant to put pressure on the beneficiary countries to abide by the GSP+ obligations. The absence of action on Pakistan's part to introduce legal protection against enforced disappearances, prevent torture and illegal detentions, and ensure media freedom, has been flagged repeatedly. Pakistan was similarly required to extend labour laws to the Export Processing Zones (EPZs) and Special Economic Zones (SEZs) and strengthen its labour inspection system. The country's claims of extending the same have been dubbed as "ambiguous" by labour rights groups. Moreover, continuous crackdown on civic spaces, particularly NGOs, has remained a burning question. GSP+ monitoring has had a limited impact on the Pakistan government's policies towards civil society.

3. STATUS OF GSP+ COMPLIANCE IN SINDH

Following Punjab, Sindh, as the second-most important province in Pakistan, bears a significant responsibility for ensuring compliance with international labour and human rights commitments.

Nevertheless, Sindh is the only province in Pakistan that, going beyond the Child Marriage Restraint Act of 1929, has banned marriages before the age of 18 for both girls and boys, in line with the Convention on the Rights of the Child. As another positive step, in 2022, the Sindh province passed the Sindh Students Union Restoration Act, allowing for the formation of student unions to promote and strengthen relations

between students and educational institutions. Moreover, Sindh has extended trade union rights to agriculture and fishing workers and amended laws to bar contract workers from production relation work.

Additionally, on its way to ensure compliance with international human rights and labour rights obligations, the Sindh government has established, a Provincial Human Rights Vigilance Committee, a Tripartite Labour Consultation Committee, and a Steering Committee on Business and Human Rights.

3.1. INSTITUTIONAL ARRANGEMENTS FOR HUMAN RIGHTS PROTECTION IN SINDH

The Sindh government has established several human rights bodies and institutions with diverse (and sometimes overlapping and differing) mandates, powers and functions, described as under;

3.1.1. Sindh Human Rights Department: The subject of human rights in Sindh is primarily governed by the Sindh Human Rights Department which was established in 2016 and is mandated to address human rights violations. The Directorate of Human Rights, Sindh Human Rights Commission (SHRC) and Treaty Implementation Cell (TIC) operate as attached entities of the department.

Furthermore, the roles and functions of the Sindh Women Development Department, Sindh Social Welfare Department and the Sindh Minority Affairs Department indicate that both share responsibilities for human rights governance: women's rights and minority rights, respectively.

3.1.2. Sindh Treaty Implementation Cell (TIC); Following Punjab's example, Sindh has established a dedicated Treaty Implementation Cell (TIC). The TIC is actively engaged in GSP+ compliance reporting through its established Human Rights Data Management Information System and by collaborating with relevant government departments. However, the institution faces challenges, including budgetary constraints and delayed responses from the relevant departments.

The TIC Sindh closely works with relevant provincial departments on the way to ensure compliance with Pakistan's international commitments, monitoring and reporting through an established and coordinated system.

3.1.3. Sindh Human Rights Commission (SHRC): Established in 2013, SHRC is mandated to enquire into violations of human rights, and oversee the implementation of all fundamental human rights as enshrined in the Constitution of Pakistan. The Sindh Protection of Human Rights Act, 2011 mandates SHRC to study treaties and other international instruments on human rights and make recommendations for their effective implementation. However, according to the Commission's former Chairperson Justice (R) Majida Rizvi, the autonomy and independence of the Commission remain compromised for being administratively attached to the Sindh Human Rights Department.

The SHRC works in close collaboration with relevant federal and provincial human rights entities and being part of the provincial human rights structures including the Sindh Treaty Implementation Cell and Provincial Steering Committee on Business and Human Rights.

3.1.4. Provincial Human Rights Vigilance Committee: The members of the Provincial Human Rights Vigilance Committee (PHRVC) are officially appointed by the Human Rights Department, Government of Sindh. These members, who serve as volunteers, are well-known to the public, holding roles as educationists, journalists, artists, advocates, and political/social/human rights activists. They hail from different districts of Sindh and are tasked with observing cases of human rights violations. Their responsibilities include physically visiting victims and officials to address issues and report their findings to the Human Rights Department. Despite the vital role they play, the performance and achievements of the Committee are not widely known.

3.1.5. Provincial Steering Committee on Business and Human Rights: The Sindh Human Rights Department has recently formed this committee to spearhead the implementation of the National Action Plan on Business and Human Rights. The committee, formed and formally notified on 18th December 2023, is represented by the relevant provincial government bodies, academia, employers, workers and international partners.

3.1.6. Sindh Women Development Department: works to end discrimination against women and to resolve women's issues. The attached entities of the department include the Directorate of Women Development, Karachi and the Deputy Directorates of Women Development Karachi, Hyderabad, Shaheed Benazirabad, Jacobabad, and Day Care Centre and Complaint Cell at Women Development Department.

3.1.7. Sindh Commission on the Status of Women (SCSW): The Commission was established as an autonomous body under the Sindh Commission on the Status of Women Act 2015, to uphold the agenda of women's rights. The law mandates the SCSW to review relevant provincial laws and suggest reforms to end discrimination against women and achieve gender equality in line with Pakistan's domestic and international commitments. However, according to the Chairperson of the SCSW, the Commission's administrative attachment to the Sindh Women Development Department undermines its autonomy and independence.

3.1.8. Sindh Minority Affairs Department: in 2010, the Sindh provincial government separated the Minority Affairs Department from the Religious Affairs Department. The department aims to safeguard minority rights in Sindh.

3.1.9. Sindh Social Welfare Department: oversees voluntary organisations, operates the Charity Commission as well as serves children, orphans, senior citizens and transgender persons.

3.1.10. Sindh Child Protection Authority: It works under the administrative control of the Sindh Social Welfare Department. The authority works, inter alia, for child protection, monitoring and reporting as well as for response/prevention, and reunifying missing, separated and unaccompanied children.

3.2. INSTITUTIONAL DEVELOPMENT PLAN

The Sindh Human Rights Department introduced its 2022-2027 Institutional Development Plan, developed under the Federal Ministry of Human Rights 'Huqooq-e-Pakistan' project, funded by the EU. The plan envisages the strengthening of the provincial Human Rights Department, the Directorate of Human Rights, the Sindh Human Rights Commission (SHRC), and the Treaty Implementation Cell (TIC). The plan outlines the vision, mission and core values relevant to improving human rights governance in Sindh. To serve this purpose, the department outlined the following interventions;

- Establishment of Human Rights Compliant Cell;
- Human Rights Awareness Campaigns;
- Establishment of Free Legal Aid Centres;
- Activation of a Toll-Free number for reporting human rights violations;
- Establishment of a Human Rights Complaint Management System;
- Enacting of various laws and acts for the protection of human rights in the province
- Human Rights Information Management System;
- Implementation of Action Plan for Human Rights (includes medical, financial and legal aid);
- Activation of the Human Rights Department's official website, and;
- Establishment of new divisional directorates.

Furthermore, the plan broadly emphasises institutional developments in the areas of data management, communication and coordination between relevant departments, personnel recruitment and capacity building, and complaint management. The plan describes thematic areas and actions in detail as well as determines the scope of interventions, and assigns responsibility for implementation to the respective entity. It also describes the timeline and key performance indicators as well as clarifies the financial implications.

3.3. INSTITUTIONAL ARRANGEMENTS FOR LABOUR RIGHTS PROTECTION

3.3.1. Sindh Labour and Human Resource Department: In terms of labour protection and welfare, the main oversight lies with the Sindh Labour and Human Resource Department. The attached departments include the Director General of Labour, Sindh, National Institute of Labour Administration Training (NILAT) Sindh Social Security Institute (SESSI), Workers Welfare Board, Sindh, and Sindh Minimum Wage Board.

3.3.2. Directorate General of Labour: It works, among other things, to maintain industrial peace, registration of factories, registration of trade unions, determine the Collective Bargaining Agent (CBA), and conciliate industrial disputes. Furthermore, the directorate holds the responsibility to ensure the implementation of labour laws.

3.3.3. Sindh National Institute of Labour Administration Training (NILAT): The institute offers Post Graduate Diploma in labour administration and industrial welfare as well as organises short-term labour-related trainings, workshops and other events.

3.3.4. Sindh Social Security Institute (SESSI): The institution provides medical care and cash benefits to workers and their families, operating 39 dispensaries, 5 medical centres, and 4 hospitals across Sindh. However, the institution's website lacks data or information regarding cash grant benefits and the number of beneficiary workers.

3.3.5. Sindh Minimum Wage Board: It serves to fix unskilled and skilled Minimum Wages of all categories of workers, and ensure implementation of Minimum Wages in industrial and commercial establishments in Sindh.

3.3.6. Sindh Workers Welfare Board: The institute provides services to industrial workers including the provision of marriage grants, death grants, talent scholarships, establishment and maintenance of labour colonies and operations of Workers Welfare Schools in different districts of Sindh.

3.3.7. Sindh Provincial Tripartite Consultation Committee: The Committee has an equitable representation of relevant government bodies as well as worker's and employer's associations. The entity is broadly aimed to ensure provincial labour legislation complies with international labour standards.

3.3.8. District Vigilance Committees (DVCs): The Sindh Labour Department, mandated by the Sindh Bonded Labour System Abolition Act of 2015, is required to establish District Vigilance Committees (DVCs) in all districts of the province. These district-level structures are mandated by law to facilitate the district administration in ensuring the implementation of the legislation.

Additionally, the federally administered Old Age Benefit Institute (EOBI) and National Industrial Relations Commission (NIRC) provide labour protection services across Pakistan, including Sindh. The NIRC deals with trade unions, federations, and other labour issues in the Islamabad Capital Territory (ICT) and trans-provincial establishments, while EOBI extends old-age benefits to insured persons or their survivors.

3.4. HUMAN RIGHTS LEGISLATION IN SINDH

- The Sindh Protection of Human Rights Act, 2011.
- The Sindh Child Protection Authority Act, 2011.
- The Sindh Rights of Children to Free and Compulsory Education Act, 2013.
- The Sindh Healthcare Commission Act, 2013.
- Domestic violence (Prevention & Protection) Act, 2013.
- The Sindh Child Marriages Restraint Act, 2013.
- The Sindh Environment Protection Act, 2014.
- The Sindh Consumer Protection Act, 2014.
- The Sindh Senior Citizen Welfare Act, 2014.
- The Sindh Differently Able Persons (Employment, Rehabilitation and Welfare) Act, 2014.
- The Sindh Commission on the Status of Women Act, 2015.
- The Sindh Prohibition of Corporal Punishment Act, 2016.
- The Sindh Hindus Marriage Act, 2016.
- The Code of Criminal Procedure (Sindh Amendment) Act, 2017.
- The Sindh Hindus Marriage (Amendment) Act, 2018
- The Sindh Women Agriculture Worker's Act, 2019.
- The Sindh Reproductive Health Rights Act, 2019.
- The Sindh Prisons and Correction Services Act, 2019
- The Sindh Injured Persons Compulsory Medical Treatment (Amal Umer) Act, 2019.

3.5. LABOUR PROTECTION LEGISLATION IN SINDH

After the 18th Amendment to the Constitution of the Islamic Republic of Pakistan, wherein the Concurrent Legislative List was abolished and all subjects enumerated in that list were devolved to the Provinces under Article 142(c), 16 labour laws have been enacted by the Provincial Assembly of Sindh;

- The Sindh Industrial Relations Act, 2013.
- The Sindh Workers Welfare Fund Act, 2014.
- The Sindh Employees Old-Age Benefits Act, 2014.
- The Sindh Companies Profits (Workers Participation) Act, 2015.
- The Sindh Workers Compensation Act, 2015.
- The Sindh Minimum Wages Act, 2015.
- The Sindh Terms of Employment (Standing Orders), Act, 2015.
- The Sindh Bonded Labour System (Abolition) Act, 2015.
- The Sindh Factories Act, 2015.
- The Sindh Shops & Commercial Establishment Act, 2015.
- The Sindh Payment of Wages Act, 2015.
- The Sindh Employees Social Security Act, 2016.
- The Sindh Prohibition of Employment of Children Act, 2017.
- The Sindh Occupational Safety & Health Act, 2017.
- The Sindh Home Based Workers Act, 2018.
- The Sindh Women Agricultural Workers Act, 2019.
- The Sindh Employees Social Security Institution (Amendment) Act, 2022.
- The Sindh Workers Welfare Fund (Amendment) Act, 2023.

3.6. GSP+ COMPLIANCE CHALLENGES IN SINDH

As described above, the Sindh government has promulgated several laws as well as made numerous institutional arrangements to strengthen labour and human rights protection in the province. However, the on-the-ground situation of labour and human rights presents a dismal picture of labour and human rights governance in the province. The following challenges are listed with the primary aim of improving human rights policy design and delivery in the province;

3.6.1. Institutional Challenges: The SHRC's Strategic Plan points out that labour and human rights governance in Sindh faces significant challenges, particularly in terms of financial constraints, deficient strategies, and a lack of robust oversight mechanisms. The Commission also highlights a lack of coordination between stakeholders: fragmented efforts by the respective government bodies, commissions, and civil society hinder collective efforts to achieve respect for people's rights.

3.6.2. Legislative loopholes: Other than institutional and governance challenges, compliance with international labour and human rights obligations in Sindh is attributed to legislative loopholes and persistent delay in promulgation of secondary legislation. For example, the Strengthening Participatory (SPO) highlighted several loopholes in the Sindh Domestic Violence (Prevention and Protection) Act, 2013, the Sindh Child Marriages Restraint Act, 2013, the Sindh Commission on the Status of Women Act, 2015 and the Prevention of Anti-Women Practices (Criminal Law Amendment) Act, 2011. SPO argues that these legal gaps have impeded the effective utilization of the laws by civil society, women and duty-bearers.

A few examples of ambiguities in labour protection legislation include lacunae in the Sindh Industrial Relations Act, 2013 that, besides excluding several categories of workers from their fundamental right and inhibit registration of trade unions to the categories of workers allowed to form unions.

3.5. LABOUR PROTECTION LEGISLATION IN SINDH

. Lacunae in Sindh Tenancy Act, 1950 amended in 2013, incumbent upon the provincial administrative mechanism and legislation which binds the poor, asset-less peasants to debt bondage. While Sindh Occupational Safety and Health Act, 2017, is applicable to all places of work in the province of Sindh, but does not include mines.

The Sindh Terms of Employment (Standing Orders) and the Sindh Factories Act, 2015 also have no provisions pertaining to remedies for unfair dismissal of employees. In theory, these laws should have changed the landscape of labour rights in Sindh, yet they continue to fall short of their intended objective.

3.6.3. Fragile Justice System: The Sindh Human Rights Commission, in its Strategic Plan, noted that access to justice remains an important human rights issue in Sindh. The majority of people, especially those from marginalised communities, face obstacles in seeking justice. While UN Office on Drugs and Crimes (UNORC) pointed out challenges pertaining to people's inaccessibility of justice including pendency of cases, overburdening of judges, corruption, inefficiency of law enforcement agencies (especially police) and inadequate coordination between criminal justice institutions. The SHRC further noted that prolonged judicial processes, public-level unawareness, and a lack of legal aid services barricade people from claiming their rights or seeking remedial services.

For example, Sindh has enacted various laws to protect the rights of children including the Sindh Bonded Labour System Abolition Act, 2015 and the Sindh Prohibition of Employment of Children Act, 2017. Regrettably, lack of implementation coupled with corruption continues to be a major issue. Even though the Sindh Child Protection Authority was formed under the Social Welfare department for this specific purpose, no serious measures have been taken to dismantle such systems of oppression and end child labour in the province.

3.6.4. Patterns of Human Rights Violations in Sindh:

The SHRC's Strategic Plan points towards several ongoing human rights anomalies in Sindh including socio-economic inequalities, inadequate housing and living standards as well as rights violations of children, transgender persons, persons with disabilities and senior citizens. Details are described below;



Discrimination: the issue of discrimination persists against marginalised communities including women, religious and ethnic minorities, persons with different abilities, transgender people and members of lower socio-economic strata. It prevails in different forms including people's access to education, employment, health care and housing, as well as in participation in decision-making processes.



Gender inequality: Gender inequality remains a significant human rights concern in Sindh, where women encounter discrimination and limited access to education, healthcare, job opportunities, and political engagement. Prevalent harmful practices including child marriages, honour killings, and domestic violence exacerbate the situation.



Child Rights Violations: Children's rights are frequently violated in the province, with many facing barriers to education, widespread child labour, and the pervasive issue of child marriage. Early marriage particularly affects girls, endangering their well-being and personal development. Child malnutrition and insufficient healthcare further compromise children's health. Moreover, child abuse, including physical, sexual, and emotional abuse, is prevalent but often unreported, causing lasting trauma.



Minority Rights Violations: Sindh is home to a variety of religious and ethnic minority groups, including Hindus, Christians, Sikhs, and others. However, these communities often face discrimination, intolerance, and violence. Religious minorities are particularly vulnerable to forced conversions, property disputes, and limitations on practicing their faith freely.



Rights Violations of Transgender Persons: Transgender persons in Sindh face pervasive discrimination and social stigma, resulting in marginalization and barriers to education, employment, and housing. They also bear heightened levels of violence and harassment, including hate crimes. Moreover, the healthcare system lacks sensitivity and awareness of their unique needs, impeding their access to essential health services.



Rights violations of Persons with Disabilities: Persons with disabilities (PWDs) are faced with numerous challenges in Sindh despite the enactment of the Sindh Empowerment of Persons with Disabilities Act, 2018, aimed at safeguarding their rights. However, implementing provisions for accessibility, education, employment, healthcare, social protection, and non-discrimination remains a significant challenge. Accessibility issues persist due to limited physical infrastructure and public spaces. Educational opportunities are scarce, with few inclusive schools and insufficiently trained teachers. Limited job accessibility hampers employment and economic prospects. Health and rehabilitation services are also inadequate, while stigma and discrimination impede social inclusion. Although a five percent (5%) quota is reserved, meaningful progress towards inclusivity remains elusive.



Rural-Urban Disparities: There are notable economic disparities in the province, with urban areas like Karachi holding the majority of wealth compared to rural and underdeveloped regions. The province's economy relies heavily on agriculture, yet its contribution to GDP has decreased over time. In the 1970s, agriculture accounted for 34% of GDP, but today it only makes up 22.9%. This decline has led to fewer job opportunities and lower incomes in rural areas, worsening poverty and inequality.



Education: The literacy rate in Sindh is 62%, with a disparity between genders, with males at 72.9% and females at 49.7%. Gross enrolment rates for primary, middle, and high school are 67, 45, and 49, respectively, lower than the national average. Net enrolment rates are even lower, particularly for middle and high school. Access to quality education remains a challenge in rural areas, leading to a high dropout rate, especially among girls. Approximately 44% of children are out of school in Sindh, with inadequate educational infrastructure being a significant barrier, including a shortage of schools, classrooms, and teachers.



Health: the health system in Sindh encounters various challenges such as insufficient infrastructure, a lack of healthcare personnel, and restricted access to high-quality health services, particularly in rural regions. Consequently, the province experiences elevated rates of infant and maternal mortality. Specifically, Sindh reports an infant mortality rate of 60 deaths per 1,000 live births and a maternal mortality rate of 224 deaths per 100,000 live births.



Access to Basic Services: People's access to essential services such as sanitation and safe drinking water presents a critical challenge in Sindh. Many underprivileged areas lack sufficient sanitation facilities, and the water supply is inadequate, resulting in unhygienic living conditions, the spread of waterborne diseases, and a high incidence of malnutrition. A rapid survey conducted by UNICEF in 2023 across 15 flood-affected districts revealed alarming statistics: nearly one-third of children aged 6 to 23 months suffer from moderate acute malnutrition, while 14 percent are affected by severe acute malnutrition. Addressing these issues necessitates investment in infrastructure development, water management, and nutrition programs.

3.6.5. Varying Forms of Labour Rights Violations in Sindh:

As mentioned above, the EU's 2020-2022 GSP+ assessment report for Pakistan points out the persistent prevalence of child labour, forced labour, occupational health issues, low unionisation rate and discrimination against women and minorities in the labour market.

Adding to this, labour rights campaigners and experts argue that workers of industrial, commercial and other sectors in Sindh are deprived of their rights and legal entitlement. Majority of the labour force, in Pakistan as well as in Sindh, is engaged in informal economy, are deprived of their rights and entitlements. They argued that establishing trade unions in the province has become a challenge. The EU's 2020-22 GSP+ assessment report for Pakistan supplements this argument stating that in some provinces, such as Khyber Pakhtunkhwa, the number of registered trade unions has increased, whereas Sindh has witnessed a significant decrease. The report further highlights that in Sindh, out of 29 districts, District Vigilance Committees (DVCs) have been constituted in only 14 districts.

While demanding legal rights for the workers of the agriculture and fisheries sector, labour rights campaigners highlighted the prevalence of illegal contract-based employment and the workers denied rights to access social security and other benefits.

Furthermore, according to the SHRC, informal sector workers often face exploitative working conditions, low wages and a lack of social protection. Violations of labour rights, including child labour, bonded labour and unsafe working environments, are widespread. The Commission further states that non-payment of minimum wages is very common across Sindh.

RECOMMENDATIONS

Considering that this document offers an overview of GSP+ compliance progress and challenges in Pakistan, with a particular focus on Sindh, it highlights several obstacles the Sindh government faces in strengthening its labour and human rights policy design and delivery. The Sindh Human Rights Commission presents following set of recommendations to enhance Pakistan's potential to maintain the GSP+ status but also to achieve respect for people's rights in Pakistan, particularly in Sindh;

- Keeping in view the future prospects and significant economic value of GSP+ status, the government should consider ensuring compliance with the conditions associated to this scheme. It can help Pakistan in achieving democratic consolidation, good governance, improved climate action and respect for people's rights;
- The government should consider withdrawal of reservations posed on ICCPR, ICESCR, CEDAW and CAT thereby to ensuring compliance with primary objectives of treaties;
- The government should make policy arrangements to ensure timely compliance with Treaty bodies' reporting and to implement recommendations in letter and spirit;
- The European Union should extensively involve the civil society actors – NGOs, trade unions, media, bar associations - and NHRIs in GSP+ compliance monitoring. The EU should also ensure their involvement in implementation and monitoring of its assistance programmes;
- Pakistan's ratification and domestication of international Treaties should be debated at federal as well as provincial democratic forums;
- The governments should make policy arrangements to ensure independence of the NHRIs, allocation of requisite resources and to systemise institutional coordination;
- The Sindh Government should introduce plans to effectively implement its introduced provincial Labour Policy and Human Rights Policy;
- The Sindh government should ensure best utilisation of its established Human Rights Vigilance Committee, Tripartite Labour Consultation Committee and the Steering Committee on Business and Human Rights by strengthening their role in domestication of international labour and human rights Treaties.
- The Sindh government should timely implement the Human Rights Department's Institutional Development Plan, redress the identified legislative loopholes and play its due role in strengthening the judicial system;
- Following the pattern of Human Rights Department's Institutional Development Plan, the Sindh government should introduce similar plan to strength the Labour Department and its associated entities. It may also involve strengthening of labour inspection system and establishment and operationalization of the District Vigilance Committees.

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