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Universal Periodic Review of Pakistan 2022
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For the 4th Cycle

I. Introduction

This submission is compiled by the United Nations Country Team (UNCT)¹ in Pakistan. It provides a comprehensive analysis of the promotion, protection, and realisation of human rights obligations in Pakistan, considering the mandates of the various agencies and programmes comprising the UNCT in the country.²

II. Background and Framework

A. Constitutional Framework

1. The UNCT encourages the Government of Pakistan (GoP) to undertake effective measures to address the gaps in the capacity of Information Commissions established under Article 19A of the Constitution.³
2. The UNCT calls upon the GoP to ensure transgender persons' access to justice, prohibition against discrimination, which extends inter alia to educational institutions, workplaces, healthcare institutions/service providers, etc and Section 4(g) on their right to inherit any movable and immovable property.⁴
3. The UNCT recommends that a Special Cadre for Medico-legal Officers is developed as a workforce for handling of GBV by all units of National Forensic Science Agencies, particularly, DNA and Serology, in line with the Anti-Rape (Trial and Investigation) Act 2021.⁵
4. The UNCT encourages the GoP to ensure full financial and administrative autonomy of Ombudspersons (Sexual Harassment) Secretariat (all provinces) and establish provincial offices for easy access of individuals and organisations for reporting sexual harassment cases.

B. Cooperation with Treaty Bodies

5. The UNCT encourages the GoP to expedite implementation of the National Mechanism for Reporting and Follow-up (NMRF) and include National Human Rights Indicators developed in 2019 by the Federal Ministry of Human Rights within Human Rights Management System.
6. The UNCT encourages GoP to ratify 1954 Convention on the Status of Stateless Persons and the 1961 Convention on Reduction of Statelessness, and to ensure that all children, including children belonging to all migrants and stateless populations, born in Pakistan, are issued Birth Certificates ensuring access to public social and economic services.⁶
7. The UNCT encourages GoP to ensure implementation of the following concluding observations by the CEDAW Committee:
 - A. Formulation of an 'Action Plan to End Violence against Women and Girls'
 - B. Expedite the finalization of the National Policy on Ending Violence against Women and Girls.⁷

C. Institutional and Human Rights Infrastructure

8. The UNCT welcomes reinstitution of the National Commission for Human Rights (NCHR) and encourages GoP to assist the NCHR in overcoming its capacity, staff and institutional knowledge management challenges.
9. The UNCT urges GoP to strengthen National Human Rights Institutions such as the National Commission for the Status of Women (NCSW) and the National Commission on the Rights of Child (NCRC), and to implement recommendations of the Committee on CEDAW (10th March 2020), that financial and administrative support is advanced to provincial and federal entities including Women's Development Department and for NCSW to fulfil its mandate.⁸
10. The UNCT encourages the GoP to adopt policy actions to include budget allocations of all statutory bodies in the Annual Finance Bill (Federal & Provincial) to ensure their independence.

D. Human Rights Policies

11. The UNCT appreciates the promulgation of Human Rights Policies by the governments of Khyber Pakhtunkhwa (KP) and Punjab and encourages the provincial governments of Sindh and Balochistan to expedite this process.
12. The UNCT acknowledges that the governments of Punjab, Sindh, and KP have developed labour policies, and the government of KP also a child labour policy, and encourages effective implementation of these policies.
13. The UNCT encourages the GoP to ensure the effective implementation of the National Action Plan (NAP) on Business and Human Rights (BHR) at federal, provincial, and local levels.⁹

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E. Equality and Non-Discrimination (incl. minority rights)

14. The UNCT encourages GoP to report on the impact of quotas established at federal and provincial level for employment of non-Muslim minorities, as recommended by ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) and to also report on measures taken by the Federal Tripartite Committee to facilitate this process.
15. The UNCT encourages GoP, at Federal and provincial levels, to adopt laws such as the Criminal Law (Protection of Minorities) Act 2015 passed by the Govt of Sindh prohibiting the forced conversion of minors¹⁰, especially KP, home to the Kalasha indigenous population.
16. The UNCT encourages GoP to ensure immediate and effective implementation of the Hindu Marriages Bill 2014, Christian Marriages Amendment Bill 2014, and Divorce Amendment Bill 2014 (Christian).¹¹
17. The UNCT notes with concern that no law has been enacted to penalise forced conversions and invariably all such cases submitted to court gain legal validation. This trend needs to be addressed through legislative and law enforcing measures, as well as through enhanced societal sensitization on priority.

F. Right to Life, Security of Persons and Excessive Use of Force

Right to Life

18. The UNCT brings to attention the particular concern of the execution of juveniles and the mentally ill in Pakistan. See also: Persons with Disabilities

Conditions of Detention, including Prisons and Migration Centres and the prohibition of torture and ill-treatment

19. The UNCT encourage the GOP to enact legislation defining and criminalizing torture in compliance with international law, particularly considering Pakistan's submission to the CAT Committee in 2022,¹² and introduce legislation criminalizing torture at the National Assembly. The Torture and Custodial Death (Prevention and Punishment) Bill 2021, passed by the Senate of Pakistan, should be tabled in Pakistan National Assembly.¹³
20. The UNCT notes with concern that application of human rights safeguards in prisons remains marginal, most legislations related to prisons, particularly the Prison Act 1894, are inconsistent with the Nelson Mandela Rules (NMR).¹⁴ Therefore, UNCT encourages Pakistan to address the issue of over-crowded prisons and limited prison management staff.¹⁵

Prohibition of Slavery & Human trafficking

21. The UNCT urges the GoP to ratify the Palermo Protocol. It also urges the GoP to implement the Prevention of Trafficking in Persons Act 2018 in true letter and spirit. After the enactment of law in 2018, internal trafficking control falls under the mandate of provincial police departments.¹⁶ The UNCT further encourages the GoP to establish a National Referral Mechanism for identifying victims of trafficking amongst vulnerable populations and referring them to protective services, especially during crises and disasters.

G. Freedom of Expression, Media, Association and Assembly

22. The UNCT encourages GoP to amend legislation¹⁷ enabling membership in multiple trade unions, allowing workers to establish organisations of their own without distinction on minimum membership requirement between pre-existing and new trade unions.¹⁸
23. The UNCT calls upon GoP to make public information on the status of the Press, Newspapers, News Agencies and Books Registration Ordinance 2002, so that no penalty of imprisonment, including compulsory labour, can be imposed as a punishment for expressing political views.
24. Taking note of Pakistan's support to recommendations to protect journalists¹⁹ and bring to justice perpetrators of attacks on journalists²⁰, the UNCT urges GoP to act against all forms of violence against journalists and allow them to exercise their legitimate and fundamental freedoms.²¹

H. Administration of Justice and Rule of Law

Structure, Organisation and Independence of the Justice System

25. The UNCT encourages the GoP to enact measures to improve judicial proceedings ensuring that the human rights of all citizens (particularly members of marginalized and vulnerable populations) are ensured.²²

26. The UNCT encourages the GOP to expedite the process of gender responsive budgeting and planning, that began in 2000 and to incorporate it as an integral part of Planning and Development process, to essentially include 'Gender Budget Statement' in national and all provincial budgets (Finance Bill).²³
27. The UNCT recommends GoP to adopt the unified Rule of Law and Road Map engaging all involved justice sector institutions under the umbrella of Provincial Justice Committees and involvement of provincial Planning & Development departments in this process.²⁴
28. The UNCT recommends GoP to enforce legislation related to reducing Under Trial Prisoners (UTPs) and activate the role of Probation and Parole Departments across Pakistan including the use of legal aid and alternatives to incarceration.

Juvenile Justice

29. Acknowledging that Pakistan passed the Juvenile Justice System Ordinance in 2000 (JJSO),²⁵ the UNCT encourages GoP to urgently implement its provisions including establishing juvenile courts, training and sensitisation of criminal justice officials, adopting detention as a last resort for juveniles, and implementing a comprehensive and costed juvenile justice policy.
30. The UNCT encourages the GoP to implement recommendations of Technical Assistance Needs Assessment (TANA) for Juvenile Justice System in Pakistan with technical support from UNODC.²⁶

I. Social and Economic Rights

Right to Work

31. The UNCT urges GoP to undertake country-wide surveys of bonded labour in cooperation with employers' and workers' organisations and other relevant partners, report on progress and provide completed copies of the surveys.²⁷
32. The UNCT takes cognizance of discussion on a draft national policy to eliminate child and bonded labour, however, recommends that efforts are further coordinated to effectively tackle these challenges.

Right to Social Security and Adequate Standard of Living

33. The UNCT calls upon the GoP to urgently improve access to subsidized housing, streamline operational issues and expand scope to the regularization and improvement of slum areas.
34. The UNCT urges GoP to improve sustainable management of resources and access to water services (both supply and sanitation) and reduce population vulnerability to the impacts of floods and droughts.²⁸

Right to Healthcare

35. The UNCT urges GoP to adopt integrated, multi-sectoral, policies that holistically address sexual and reproductive health as fundamental human rights,²⁹ and recommends that women's rights over their fertility and health are ensured through enabling policies, improved access to quality services and improved information dissemination.³⁰
36. The UNCT encourages GoP to strengthen health systems³¹ by ensuring effective implementation of plans such as the National Vision for Coordinated Priority Actions to

address ‘Challenges of Reproductive, Maternal, Neonatal, Child, Adolescent Health, and Nutrition 2016-2025 and Integrated Reproductive, Maternal, Neonatal, Child, Adolescent Health & Nutrition action plans.’³²

37. The UNCT calls for end to stigma and discrimination against key populations through sustained partnerships with parliamentarians, religious leaders, media and health care providers for HIV awareness raising, and gender sensitive legislation,³³ and encourages GoP to implement the Compulsory Immunisation Bill 2012 and the Reproductive Health Care and Rights Bill 2013.
38. The UNCT calls upon the GoP to ensure that all persons living in Pakistan irrespective of their citizenship status should be given access to state health facilities and hospitals without any discrimination.
39. The UNCT encourages GoP to enhance linkages between drug treatment units and other Governmental and non-Government services for health, education, shelter, legal aid for victims of drug-abuse.³⁴ The UNCT also recommends the establishment of a national system of accreditation and adherence to national standards of quality care for drug rehabilitation.³⁵

J. Rights of Women and Ending Gender Based Violence and Violence Against Women and Girls

40. The UNCT encourages the ratification of the Optional Protocol to CEDAW.
41. The UNCT encourages GoP to undertake national baseline surveys through NCSW and provincial Commissions on the Status of Women, to devise a standardised mechanism for disaggregated data on VAW/GBV.³⁶
42. The UNCT urges the federal government to pass the Domestic Violence (Prevention and Protection) Bill 2021 and for federal and provincial governments to establish, strengthen, and institutionalise support structures to provide protection to victims of domestic violence. UNCT encourages provincial governments to fund the newly enacted Anti Rape Law and effectively operationalize district level anti-rape cells.
43. The UNCT recommends that domestic violence is defined as a criminal offence, and provincial laws are implemented, along with GBV case management training for Social Welfare Workforce to ensure gender responsive services for survivors of violence.³⁷
44. The UNCT urges GoP to enforce 18 years as the minimum legal marriageable age in all provinces pursuant to the CRC, and to introduce laws and regulations ensuring free and mandatory birth and marriage registration³⁸, and further encourages effective investigation and prosecution of persons endorsing child marriage.³⁹

K. Rights of Children

45. The UNCT calls upon the GoP to eliminate child labour by 2025 in line with the SDGs⁴⁰ and holistically combat all forms of violence against children.⁴¹
46. The UNCT encourages GOP to domesticate obligations under its Criminal Law (Amendment) Act 2016 and the Second Optional Protocol to the CRC on the Sale of Children, Child Prostitution and child Pornography.
47. The UNCT supports CEACR⁴² and requests the Government to strengthen its efforts to improve access to free basic education for all children, taking into account the special situation of girls.⁴³

48. The UNCT encourages GoP to implement laws abolishing bonded labour and child debt bondage by establishing District Vigilance Committees in all provinces and assisting law enforcement officials responsible to monitor child labour.

L. Persons with Disabilities

49. The UNCT urges GoP to implement the UNCRPD convention specifically ensuring that Persons with Disabilities have the right to acquire and change nationality and are not deprived of nationality arbitrarily or based on their disability.⁴⁴
50. The UNCT urges GoP to develop disability-appropriate procedures for each GBV support service and specifically train service providers to gain disability sensitization.
51. The UNCT encourages the GoP to make the registration of all children with disabilities compulsory in compliance with Article 18(2) of the UNCRPD, with mandatory registration by amending the Pakistan Citizenship Rules, 1952; imposing penalties on parents or guardians that fail to register children with disabilities at birth, to reduce the impact of concealment.⁴⁵

M. Migrants, Refugees, Asylum Seekers, Seasonal Migrants and Stateless Persons

52. The UNCT recommends the GoP to enact national refugee legislation, as provided by the 2017 Policy on Voluntary Repatriation and Management of Afghan Refugees, in line with the regional Solutions Strategy for Afghan Refugees (SSAR),⁴⁶ and encourages the GoP to consider ratifying the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.
53. The UNCT commends the GoP for registering newborn children of refugees and asylum seekers and reiterates the importance of the continued issuance of birth certificates and taking steps towards their mainstreaming into civil registration and vital statistics national systems.
54. The UNCT recommends the implementation of the Constitutional right to “free and compulsory education to all children” regardless of national identities⁴⁷, and also encourages the GoP to look into the right to work in the formal sector for refugees. The UNCT also recommends that the refugees, asylum seekers and stateless persons are mainstreamed into all national and provincial laws, policies and development plans.⁴⁸
55. The UNCT urges the GoP to adopt the National Emigration and Welfare Policy to promote fair recruitment and welfare of overseas Pakistani migrant workers.⁴⁹
56. The UNCT commends the GoP for the passage of Alien Registration Card (ARC) Rules by NADRA to regularise legal stay of stateless persons without documentation and legal status barring their naturalization.

N. Human rights and the Environment

57. The UNCT encourages the GoP⁵⁰ to undertake a national discourse on environmental justice focusing on the nexus between gender justice, rights of indigenous populations, climate change and displacements, loss of livelihoods, conflict and environment challenges, and also GBV.
58. The UNCT encourages the GoP to improve access and management of water resources to citizens, especially the most vulnerable and marginalized⁵¹; and adopt green energy projects to act against deforestation carbon emissions, single use plastic products, and to enforce initiatives to protect natural water sources from pollutants.

59. The UNCT encourages the GoP to enhance resilience of the most vulnerable and marginalized communities to the impact of climate change and natural disasters and enhance their agency to hold public systems accountable.⁵²

Annex I

List of abbreviations

Convention on the Elimination of all Forms of Discrimination Against Women	CEDAW
Convention on the Rights of the Child	CRC
Convention on the Rights of Persons with Disabilities	CRPD
Federal Tripartite Consultative Committees	FTCC
Federally Administered Tribal Areas	FATA
Gender Based Violence	GBV
Government of Pakistan	GoP
Integrated Reproductive, Maternal, Child, Adolescent Health & Nutrition	IRMNCAH&N
International Covenant on Civil and Political Rights	ICCPR
International Convention on the Elimination of All Forms of Racial Discrimination	ICERD
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	ICRMW
International Convention for the Protection of All Persons from Enforced Disappearance	ICPPED
International Labour Organization	ILO
ILO Committee of Experts on the Application of Conventions and Recommendations	CEACR
Juvenile Justice System Ordinance in 2000	JJSO
Khyber Pakhtunkhwa province	KP
National Commission for Human Rights	NCHR
National Commission on Status of Women	NCSW
Non-Communicable Diseases	NCDs
Prevention of mother to child transmission	PPTCT
Provincial Tripartite Consultative Committee	PTCC
Sustainable Development Goals	SDGs
UN Nelson Mandela Rules for the Treatment of Prisoners	NMR
United Nations Country Team	UNCT
United Nations Human Rights Council	UNHRC

¹ Resident agencies and programmes participating in this initiative are ILO, UNAIDS, UNDP, UNESCO, UNFPA, UNHCR, UNICEF, UNODC, UN Women, WHO and UN Habitat.

² A list of abbreviations is provided in Annex 1

³ The UNCT appreciates that in 2010, Article 19A was adopted on right of access to information and acknowledges that currently right to information laws exist at federal and (04) provincial levels. Robust access to information laws have been enacted at federal and (04) provincial levels. However, the UNCT expresses concern that while information commissions have been formed under the law, designating public information officers, and proactive sharing of public information is still lagging.

⁴ Rights and gender identity of transgender persons are protected through the Transgender Persons' Protection of Rights Act (2018) is appreciated, however, it is strongly recommended that the government allocates proper resources for the implementation of this Act and the 2018 Act ensuring access to justice for the transgender persons' community

⁵ This cadre should be regularly trained on the Anti Rape Crisis Cell guidelines /SOPs and best practices. To ensure sustainability of the skill set Forensic Medicine module to be integrated, into the existing MBBS and BDS courses for practical Medico-legal work.

⁶ Furthermore, UNCT encourages the GoP to consider positive measures to prevent statelessness by applying favourable interpretation of the Citizenship Laws and associated rules to the citizenship documentation requests by the Bengali, Bihari and Rohingya populations that may be at risk of statelessness.

⁷ <https://digitallibrary.un.org/record/3856608?ln=en>

⁸ <https://digitallibrary.un.org/record/3856608?ln=en>

⁹ The UNCT welcomes the Government of Pakistan's approval of a five-year National Action Plan (NAP) on Business and Human Rights (BHR) in September, 2021—marking an official commitment to the United Nations Guiding Principles on Business and Human Rights. The NAP can be accessed at: <https://portal.mohr.gov.pk/wp-content/uploads/2021/11/NAP-BHR.pdf>

¹⁰ Freedom of religion is protected in the Universal Declaration of Human Rights (18) http://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf Pakistan is a State Party to ICERD where it commits to preserve language, script, and culture including freedom of thought, conscience, religion, opinion, and expression as a fundamental human right extended to all citizens. (ICERD Article 5: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>) Article 20 of the Pakistan constitution (<http://www.pakistan.org/pakistan/constitution/part2.ch1.html>) protects Freedom to profess religion and to manage religious institutions

¹¹ This has been followed by the Senate Functional Committee on Human Rights unanimously passing the much-awaited Bill aimed at easing growing insecurity among the country's Hindu community.

¹² https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fPAK%2f2&Lang=en

¹³ The UNCT is pleased to note that Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill, 2021 has been prepared by Ministry of Human Rights. However, it encourages Pakistan to expand the definition of Torture according to Article 1 of the UN Convention Against. It further calls for relevant government agencies to be trained according to international humanitarian standards to prevent torture and inhuman or degrading treatment of detainees.

¹⁴ The UNCT is pleased to note the adoption of digital prison management systems in Khyber Pakhtunkhwa and Balochistan, with the technical assistance from UNCT, enabling systematised application of protective measures. It is also encouraging to see implementation of Prisons Management Information System in Sindh and Punjab which has enhanced accountability, transparency and efficiency in the overall prisons systems.

¹⁵ UN standards and norms regarding treatment of prisoners stipulates the basic rights that should be given to prisoners; Standard Minimum Rules for the Treatment of Prisoners, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and Basic Principles for the Treatment of Prisoners, however, there are gaps between the international norms and standards and domestic prison rules and regulations in addition to weak implementation capacity.

¹⁶ Pakistan has separate comprehensive laws on human trafficking and migrants smuggling, "The prevention of trafficking in persons Act 2018" and "The Prevention of Smuggling of Migrants Act 2018". The laws were enacted through act of parliament in 2018 and are based on UN Model Laws. The laws have specific provisions for protection and assistance of victims of trafficking and vulnerable smuggled migrants including their non-criminalization. Pakistan also has a National Action Plan to Combat Trafficking in Persons and Smuggling of Migrants (2021 – 2025) which is being implemented by the Federal Investigation Agency, being the lead agency to control human trafficking and migrant smuggling in Pakistan. There are a few elements that are not in compliance with the international standards. The standards set forth in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children¹⁶ are not being adhered to due to

the reason that Pakistan has not ratified this Protocol of UNTOC16, which serves as a major gap. Pakistan is in the process of ratification of the Palermo protocols.

¹⁷ Article 17 of Pakistan's Constitution guarantees the freedom of association, including every citizen's right to form associations or unions. The rights of workers to form or join trade unions is stipulated nationally in Section 3(a) of the Industrial Relations Act 2012.

¹⁸ C-87 Observation, CEACR-ILO; Extensive comments: [Highlights](#) (2013); Response to allegation: Request for response to ITUC allegations of anti-union allegations (2012)

¹⁹ <http://hrcp-web.org/hrcpweb/wp-content/uploads/2016/04/Freedom-of-expression.pdf>

²⁰ <http://www.ohchr.org/EN/HRBodies/UPR/Pages/PKSession14.aspx> (matrices of recommendations A/HRC/22/12/Add.1 - Para. 4 122.118 and 122.119)

²¹ The country is considered "a dangerous place for journalists"²¹ and UNESCO has recorded killing of 51 journalists in Pakistan between 2006 and 2015; none of which have been resolved²¹. It is deeply concerning that Pakistan has not responded to UNESCO's requests in 2014, 2015, and 2016 for information on these killings²¹. Furthermore, Women journalists continue to face abuse, harassment, and violence in the offline as well as online sphere as reaction their journalistic pursuits.

²² The number of pending cases (2.1 million) under Pakistan's Justice system impede delivery of justice to millions of people owing to inordinate delays that cause miscarriage of justice and exacerbate trust deficit in the system leading to prolonged incarceration of thousands of prisoners awaiting adjudication of their cases.

²³ It is pertinent to note that this has been practiced in Punjab for some years

²⁴ The UNCT welcomes the adoption of Rule of Law Road Maps in Sindh, Khyber Pakhtunkhwa and Balochistan provinces including the approval of PC1 for the Roadmap in Balochistan. The UNCT encourages the federal as well as provincial governments to ensure implementation of these roadmaps and to instrumentalize Action Plans developed under the Rule of Law roadmaps.

Pakistan has established special courts to prosecute the perpetrators of gender-based violence,²⁴ however, the UNCT is concerned regarding operational hurdles in implementation. There is a dire need for gender responsive infrastructure, standard operating procedures, training of judicial and non-judicial staff and prosecutors. Furthermore, UNCT encourages the GoP to enhance capacity of duty-bearers specially; police, medicolegal officers, judges and prosecutors to address cases of violence against women in a gender-responsive way.

²⁵ However, the implementation of JJSO in Pakistan has been very slow. Juveniles are continued to be detained under-trial, well beyond the limits set by the JJSO. In addition, there is no provision for separate institutions for female juveniles, who are held with adult women prisoners²⁵.

²⁶ This assessment was carried out for Sindh, Balochistan, and Islamabad Capital Territory. Law and Justice Commission of Pakistan (LJCP) played a key role in the conduct of TANA which was later presented and endorsed by all the relevant stakeholders including Civil Society Organizations (CSOs). The TANA of Juvenile Justice System for Punjab will also be initiated and completed in 2022.

²⁷ undertake effective action regarding bonded labour, pursuant to ILO observations, including: ensuring the functioning of vigilance committees in the other three provinces, and to provide monitoring and evaluation information thereon;²⁷

²⁸ GoP's efforts to ensure access to water²⁸ across water-stressed Pakistan are commendable²⁸. However, 27.2 million Pakistanis still lack access to safe water²⁸ and poor watershed management has serious repercussions for public health, sanitation, access to food (agriculture), disproportionately affects marginalized communities²⁸.

²⁹ Country Profile on Universal access to sexual and reproductive rights: Pakistan

³⁰ The contraceptive prevalence rate in Pakistan was only 35% in 2012-13, far below the rates in Bangladesh, India, Iran and Indonesia at the same time, which were all 50% or above. Furthermore, 37 percent of episodes of contraceptive use were discontinued within 12 months of their initiation.

³¹ In 2007 with UNICEF's assistance, Pakistan launched the Prevention of Parent to Child Transmission (PPTCT) as part of the HIV programme. In 2016, 125 HIV+ pregnant women received PPTCT services, and currently 11 Centres operate country-wide. The UNCT encourages GoP to expand the programme to reach more at-risk women including HIV in prison settings³¹, and to create awareness among women about HIV testing and counselling. As such, Pakistan's Post-2015 development agenda should make express commitments towards ending preventable new-born and child deaths and reducing maternal mortality, with clear numerical targets.

³² HPSIU-M/O NHR&C, www.nhsrsc.gov.pk

³³ The 2012-13 Demographic Health Survey (DHS) reported that overall, 17% of women and 15% of men expressed accepting attitudes of PLHIV³³. The Stigma Index assessment was carried out in 2009 – 2010, revised in 2012 by the Association of People Living with HIV and AIDS (APLHIV), in which 833 PLHIV were interviewed. A major challenge faced by most PLHIV was poverty and lack of employment opportunities due to discrimination against their HIV status. 33 In 2013 the Asia Pacific Network of People living with HIV/AIDS (APN+) regional study undertaken by the APLHIV looking at Anti-Retroviral Treatment (ART) access, initiation and adherence, found that 49.2% of the total respondents (n=525) reported being denied medical services due to their HIV status; another 40% experienced some type of housing instability (forced to change place of residence or been unable to rent accommodation because of HIV status) and 25% reported that their children were prevented, dismissed, or suspended from attending school in last 12 months³³. Though the HIV response in Pakistan advocates against stigma and discrimination of PLHIV at multiple levels, there is no formal redress or legal services available to PLHIV

³⁴ According to a National Household Survey on Drug Use³⁴ conducted by the Pakistan Bureau of Statistics with support from the Narcotics Control Division, Ministry of Interior and Narcotics Control, and UNODC in 2013, an estimated 860,000 people use heroin regularly. Among them, an estimated 430,000 persons aged 15-64 years old inject drugs.³⁴

³⁵ Drug Dependence Treatment in Prisons and enhancing the feasibility for alternative approaches to imprisonment in line with international norms. Pharmacologically assisted treatment for IDUs and HIV positive drug users. Network established of civil society organizations working in the field of DDR at the National level; mapping of drug treatment service providers conducted at the National level; availability of accessible and affordable standardized quality drug treatment services to all drug using population including men women and children. Implementation of different modalities for provision of Drug treatment services which may include (home based, outpatient, residential, inside prison and refugee settlements etc.); most critically to consider drug dependence as a health disorder requiring medical assistance and not as a punishable offence by the education institutions and employers. Drug users having access to health, education, employment, and legal assistance etc. without any discrimination; training of Government and non-Government drug treatment service providers on standard protocols and modules for quality treatment. National Drug Use Survey on prevalence and emerging trends of drug use in Pakistan.

³⁶ Feb 2016 Action plan - Policy measures for protection of women rights include formulation of National Policy guidelines on GBV, establishment of new Crisis Centers for women and standardization of existing services at district level and directions for a uniform women's empowerment package for federal and provincial governments under Article 149 of the Constitution of Islamic Republic of Pakistan.

³⁷ The UNCT appreciates the Government of KP's initiative of establishing and institutionalising "Gender Desks," with UN support in the newly merged districts for provision of psychosocial and access to justice support. The UNCT calls upon the government to further invest in empowering all women and girls and other marginalized groups in the newly merged areas effectively. UNCT welcomes the extension of the judiciary set up to former FATA, which would help and remedy women's disproportionate lack of representation in public sphere and end harmful practices gravely undermining women's constitutional and human rights.

³⁸ Pakistan's Universal Periodic review. A look back at our promises. Civil Society mid-term assessment report.

³⁹ Sindh Child marriage Restraint Act 2013 adopted 18 years of marriage however Punjab amended Child Marriage Restraint Act 1929 to increase penalty in case marrying to a minor but maintained the minimum age as 16 years of age. Thirty-Five percent of women age 25-49 were married by age 18 and more than half (54%) were married by age 20. Mostly girls are affected by harmful traditional practices in various parts of Pakistan. Vani, Sawara, Watta Sata, Pait, Chati and marriage with Quran are common traditions that affect the lives of many adolescent girls.

⁴⁰ In this regard, the UNCT appreciates the passing of Balochistan Child Protection Act 2016, Gilgit-Baltistan Child Protection Response Act 2017, ICT Child Protection Act 2018, Sindh Child Protection Authority Amendment Act 2021, all aligned to the CRC to further strengthen the right 'of a boy and girl to protection from all forms of violence, abuse, neglect, exploitation, and harmful practices. Similarly, legal reforms are ongoing in Khyber Pakhtunkhwa, Punjab and Pakistan Administered Kashmir to align its Child Protection legal frameworks to CRC. The ICT Prohibition of Corporal Punishment Act 2020 was enacted, providing for an implementation mechanism. Furthermore, all provinces and territories have Social and Behavioural Change (SBC) strategies validated through UNICEF's technical assistance, however, they need to be strengthened to enhance implementation.

⁴¹ The National Commission on Rights of Child Act 2017 was enacted and UNICEF has been technically supporting the NCRC to deliver its functions, particularly partnering on child protection legal reforms in Khyber Pakhtunkhwa, and Punjab, to wholly-align the legislation with CRC, and clarify the child protection institutional structures and their roles in terms of oversight and implementation. The UNCT encourages the governments of Punjab and KP to ensure that legal reforms are concluded.

⁴² According to article 2 of C138, the minimum age for admission to employment or work shall not be less than the age of completion of compulsory schooling. To achieve progressive implementation of C138, it is advisable to discuss raise of minimum age and support / improve access to schools for children.

The UNCT supports the observation of the CEACR on Convention No.138 regarding penalties and labour inspectorate and requests the Government to continue its efforts to strengthen the capacity of the labour inspectorate and to strengthen its measures to ensure that persons who violate the above-mentioned laws are prosecuted and that sufficiently effective and dissuasive penalties are imposed.

UNCT also agrees with the CEACR, which expressed deep concern at the significant number of children under the minimum age who are engaged in child labour, including in hazardous work, and support the CEACR request to the Government to take the necessary measures to ensure the progressive elimination of child labour, including through continued cooperation with the ILO, and to provide information on the results achieved.

⁴³ Khyber Pakhtunkhwa Prohibition of Employment of Children Act, 2015 (KPK Act 2015), Balochistan Employment of Children (Prohibition & Regulation) Act, 2021 and the Punjab Restriction on Employment of Children Ordinance, 2016 (Punjab Ordinance 2016) contain provisions specifying a minimum age of 14, 14 and 15 years for admission to employment or work, respectively. The age of compulsory education as per Constitution of Pakistan is 16 years of age. Many children have no access to school.

⁴⁴ The Supreme Court of Pakistan in its order dated 14th July 2020 directed Pakistan Bureau of Statistics and the National Database and Registration Authority (NADRA) to publish, and periodically update figures and statistics related to PWDs on their website.

⁴⁵ Section 11(2) of the Pakistan Citizenship Act, 1951 permits the Federal Government to register any minor as a citizen of Pakistan, even if the parents or guardians do not submit any application.

⁴⁶ Pakistan hosts around 840,000 Afghan Citizen Card (ACC) holders and an estimate 700,000 undocumented Afghans and 27,127 asylum-seekers and refugees registered by UNHCR, which includes both Afghan and non-Afghan nationals.

⁴⁷ The Citizenship Act, 1951 provides for grant of birth right citizenship to any child that is born on Pakistani soil. Despite the fact that this clause exists there remains challenges with respect to implementation to ensure that Bengali and Bihari population and other segments of society where children are born into statelessness. Lack of a NADRA recognized 'Form B' document, prevents children from these communities in undertaking primary school certification examinations thus catalysing school dropouts and discouraging parents from sending in their children to schools. The CNIC and associated documentation issued by the NADRA is increasingly linked with various social and economic services in Pakistan and as such lack of this document creates unsurpassable barriers in accessing to these services.

⁴⁸ The UNCT appreciates that GoP has expressed commitment to support solutions for refugees through collaborating with UNHCR to facilitate voluntary repatriation and resettlement opportunities for refugees to third countries.

⁴⁹ The UNCT notes that the MOP&HRD has drafted the National Emigration and Welfare Policy for the Overseas Pakistanis with the technical assistance of the ILO. The draft policy seeks to protect the rights of Pakistani migrant workers and is aligned with ILO's relevant instruments

⁵⁰ According to long-term climate risk index (CRI) Pakistan is the 8th most affected country in the world from climate change. To address the challenges of climate change, the GoP adopted the National Climate Change Policy 2011, National Electric Vehicle Policy 2019, and the National Forest Policy 2016, Climate Change Act, 2017 as well as regulations on plastic usage. Additionally, the GoP launched the Ten Billion Trees Tsunami Programme and Clean and Green Pakistan Programme. The outcome of these projects will be observed in the coming years.

⁵¹ Access to water and particularly clean drinking water is a basic human right. The GoP has adopted National Water Policy 2018, National Sanitation Policy 2012, National Drinking Water Policy 2009. Integrated Water Resource Management (IWRM) implementation Guidelines were launched in 2021 that provides a tool to inclusive water resource management. Due to lack of implementation of policies the marginalized communities in urban and rural areas of the country don't get sufficient quantity and quality of water.

⁵² The National DRR Policy was adopted by the GoP in 2013. Due to recurrent natural disasters like floods, landslides, earthquakes, communities residing the disaster-prone areas are very vulnerable. Proper land use planning, its implementation and preparedness is important to safeguard the livelihoods of the local communities in hazard prone areas.