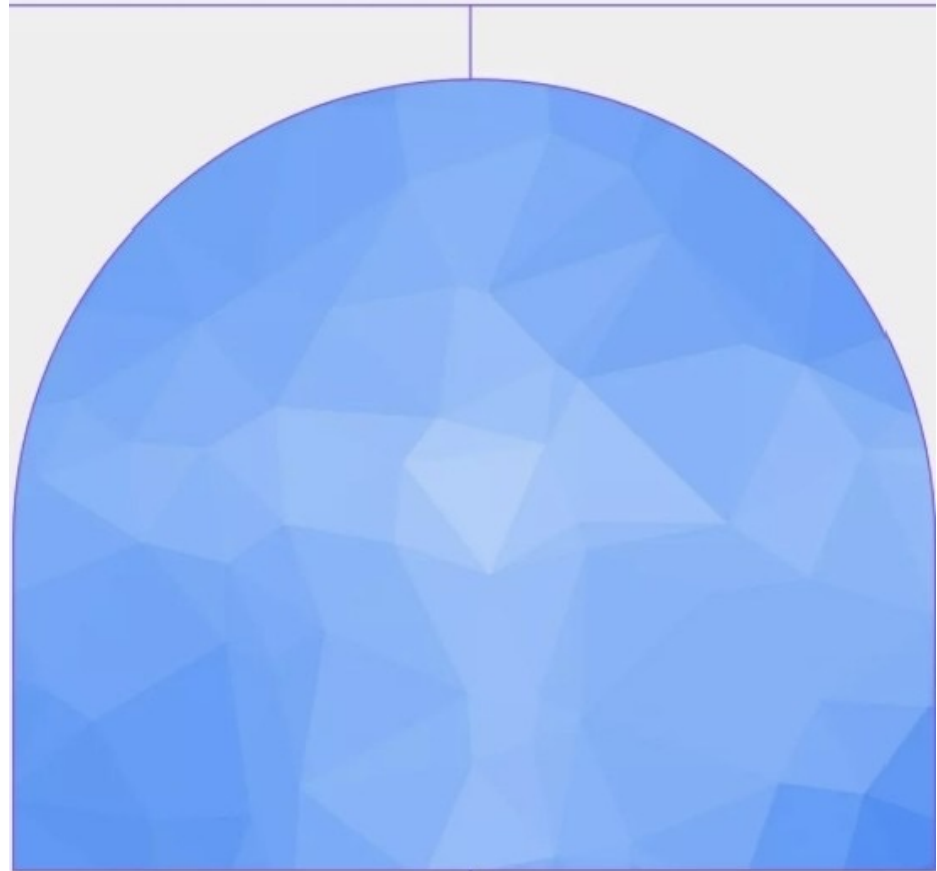


# Human Rights & Pakistan

# **HUMAN RIGHTS IN THE LIGHT OF CONSTITUTION OF PAKISTAN**



# **HUMAN RIGHTS IN PAKISTAN**

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**Human beings are born free, but they face a multitude of challenges that eventually rob them of their freedom and turn them into slaves.**

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**A variety of national and international initiatives have been made to provide and preserve fundamental human rights.**

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**Women are seen as essential members of any Society Women's equal involvement is critical to putting our country on the path to success. Following domestic violence, honour killing is another issue that must be addressed promptly.**

## **Right to Health**

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**Covid- 19 has caused a massive public health disaster over the world, with Pakistan being no exception.**

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**Health care institutions suffered a serious scarcity of PPE during the start of the COVID- 19 epidemic. Doctors were photographed treating suspected COVID-19 patients while wearing plastic bags rather than face masks, safety suits, and gloves.**

**It is somewhat astonishing, at the highest governmental level, that health is still not recognised as a basic right under Pakistan's 1973 constitution.**

**The fundamental right to life is addressed in Article 9 of the constitution.**

# **Right to Education**

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**In the Pakistan Constitution, education was only recently designated a basic, justiciable, and enforceable right.**

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**The Islamic Republic of Pakistan's 1973 Constitution merely stated in article 37-b that the state must "eliminate illiteracy and offer free and obligatory secondary education within the shortest possible time."**

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**The Right to Free and Compulsory Education reaffirms the constitutional right of all children aged five to sixteen years to free and compulsory education.**

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**To prevent the spread of COVID-19, the government shuttered schools and institutions for nearly one year, requiring lessons to be held online.**

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**Internet connectivity remained insufficient, with 68 percent of the population having limited or no access, particularly in outlying locations. Many students' right to an education was jeopardised as a result of this, since they were unable to attend lessons due to a shortage of equipment or limited internet connectivity.**

# Women Rights

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**"women rights are human rights." These words have become a rallying cry for millions of women and men throughout the world who are actively working to secure women's rights.**

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**Marriages involve the trading, sale, and purchase of women. They are given little opportunity to make decisions for themselves in order to improve their lives' circumstances.**

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**Women from the upper and middle classes, on the other hand, have more access to education and work possibilities and may have greater influence over their life.**



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**The Women's Protection Bill, enacted by Pakistan's National Assembly on November 15, 2006, is an effort to alter the severely criticised Hudood Ordinance rules of 1979, which control the penalties for rape and adultery in Pakistan.**

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**From 2012 to 2017, the Punjab government introduced and executed a number of key initiatives to combat violence against women and to promote women's economic and social empowerment.**

# Freedom of Religion

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The freedom to change and select one's faith is guaranteed by international law in all situations, and people's fundamental rights cannot be violated.

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Muhammed Ali Jinnah, Pakistan's founding father, attempted to chart a pathway for the country that avoided religious divides.

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Despite the fact that Pakistan was formed as a Muslim nation, Jinnah felt Islam could serve as a uniting factor and that Pakistanis had a responsibility to respect the ideals of religious freedom and to respect the rights of religious minorities.

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**"All individuals are equally entitled to freedom of conscience and the right to freely profess, practise, and spread religion subject to public order, morality, and health," according to Article 25. Furthermore, Article 26 states that all faiths are free to conduct their own religious affairs.**

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**Article 20 of the Pakistani Constitution provides religious freedom. The government is obligated to protect the basic rights of all citizens without discrimination based on religion, creed, or belief.**

## Basic Definition

- **Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.**

# **Substantive rights**

- 1. Right to life**
- 2. Right to a fair trial**
- 3. Freedom from torture**
- 4. Freedom from slavery**
- 5. Freedom of speech**
- 6. Freedom of thought, conscience and religion**
- 7. Freedom of movement**

## Introduction:

- The present age is described as the "age of rights" and human rights as the "only political moral idea that has received universal acceptance."
- The codification of international law relating to human rights ranks as some of the most noteworthy achievements of man in the twentieth century. Founded on the Universal Declaration of Human Rights (UDHR),
- human rights law is now an indispensable part of the international landscape.

## Continued...

- **Human rights do not, of course, negate the sovereignty of states, although they constrain it in important ways.**

**International law does not replace national law; rather, international law instructs sovereign states on internationally accepted human rights and, for the most part, leaves it to states to implement those norms domestically.**

# The Concept of human rights

- Human dignity
- Universality
- Inalienability
- Indivisibility





# EVOLUTION

- The International Labour Organization (1919) aim: oversee treaties protecting workers
- The League of Nations (1919) aim: international peace and cooperation
- The United Nations (1945) aim: cooperation in international law, international security, economic development, human rights

# **The Last Sermon of the Holy Prophet:**

- The last sermon of the holy prophet (PBUH) is undoubtedly the first and foremost declaration of human rights , given to mankind 1400 years ago.  
Khutba Hajja-tul-Wida is one of the most important occasions in the history of Islam. The holy prophet  
clearly negated all kinds of human discriminations on the basis of cast, creed, tribe etc.
- He said:  
"O' people, Allah has created you from one male and one female and made you into tribes and nations, so as to be known to one another. There is no superiority for an Arab over a non-Arab, nor for the white over the black nor for the black over the white except in God consciousness. "

# CLASSIFICATION

- Civil Rights
- Political Rights
- Economic Rights
- Social Rights
- Cultural Rights



## Civil rights

- Civil rights include the ensuring of people's physical integrity and safety.
- Protection from discrimination on grounds such as physical or mental disability, gender, religion, race, national origin, age, status as a member of the uniformed services, sexual orientation, or gender identity.
- Individual rights such as privacy, the freedoms of thought and conscience, speech and expression, religion, the press, and movement.

# Political rights

- Political rights include natural justice (procedural fairness) in law, such as the rights of the accused, including the right to a fair trial; due process;
- the right to seek redress or a legal remedy;
- rights of participation in civil society and politics such as freedom of association
- the right to assemble, the right to petition, the right of self-defense, and the right to vote.

# Socio-Economic human rights

- Economic, social and cultural rights are socio economic human rights, such as the right to education, right to housing, right to adequate standard of living and the right to health.
- Economic, social and cultural rights are recognized and protected in international and regional human rights instruments.
- Member states have a legal obligation to respect, protect and fulfil economic, social and cultural rights and are expected to take "progressive, action" towards their fullfilment.

# The Human Rights Situation in Pakistan:

- Over the years the general rule of basic civilized law and human rights has broke down and alarmingly di1minished in Pakistan. Humanitarian crime is on the increase especially against the vulnerable, the poor, the women and children. All these crimes have reached epidemic proportions.
- Sectarian violence, Religious crime.
- Domestic violence.
- Child Abuse, Rape & Gang Rape.
- Acid & chemical Attacks.
- Illegal village Courts and trials,
- Honor killings.
- Bonded Slave labor and the sale of women and children.
- Illegal detentions and abuse of police powers.
- Extra Judicial Killings.
- Disappearances of persons taken into custody by law enforcement agencies.

- **There are over 1 million bonded slaves in Pakistan.**
- **There were... More than 10,000 honor killings in 2009 alone known as "kahroh kari"**
- **In 2009 more than 2000 brides were burned to death (reported figures only)**
- **On average 12 women were murdered everyday by their husbands.**
- **More than 1000 acid attacks on women. (reported figures only)**
- **Somewhere in Pakistan a woman, man or child was raped every 10 minutes.**
- **100's of children were sold off as sex slaves every day**
- **1000's of girls sold off to criminals,**
- **Over 20,000 people killed in sectarian crime**





# Human Rights Violations in Pakistan

# Violations of Human Rights--Pakistan



*The Flag of Pakistan, Photo  
source 1*

In Pakistan, there are thousands of human rights violations annually. Simply imagine walking to school in the morning, facing the possibility of being attacked, killed, or raped; or, for speaking out against the government, getting unlawfully imprisoned, killed, or put on a hit list. With their freedom severely limited, the people of Pakistan live in fear and uncertainty, always on the lookout for corrupt police officers and under the constant threat of a terrorist attack. The biggest human rights violations in Pakistan are evident in the lives of women, children, and the corrupt police.



# Children's Rights Abused: Education



Girls attending school in Pakistan, photo source 2.

- In Pakistan, there are deadly attacks on schools, especially those that teach girls. The attacks are often strategic, targeting students and teachers.
- From fear of further attacks and the death of more children, there are approximately twenty-five million children in Pakistan who do not attend school.
- "Between 2007 and 2015, there were 867 attacks on schools and universities." (<https://www.hrw.org/news/2017/03/27/pakistan-attacks-schools-devastate-education>).
- Finally, not only are the people in the schools attacked, but the school buildings have been damaged as well.

# Children's Rights Abused: Labor



Child labor in Pakistan, photo source 3.

- Eleven million Pakistani children are child-laborers.
- "Children in carpet factories sometimes work up to 20 hours a day, 7 days a week." (<http://www.humanium.org/en/asia-pacific/pakistan/>).
- this overworks the children, who live and work in the same place, and they can often develop diseases and disabilities as a result of working.
- Into 2016, groups such as the Taliban used children as suicide bombers.

# **MIORTIES RIGHTS IN PAKISTAN**



# Introduction

- Total population of Pakistan is almost 200,000,000 (200mn)
- Minorities are more than 17.5 percent
- These minorities are Hindus, Christians, Sikhs, etc.

# Introduction

- Minorities belongs to Christianity & Hinduism in Pakistan
- Minorities face lots of problems which are not exhibited in society
- The issues of minorities are not valued as much as that of other caste.

# Introduction

- Minorities face religious discriminations which leads to a negative impact on their social standards



# ISSUES OF MINORITIES IN PAKISTAN

# Issues of minorities in Pakistan

- Caste discrimination
- Attack on Temples & Church
- Un Employment
- Lack of Education
- Health Facility

# CASTE DISCRIMINATION





# ATTACK ON RELIGIOUS FAITH



# Issues of minorities in Pakistan

- Caste discrimination
- Attack on Temples & Church
- Un Employment
- Lack of Education
- Health Facility



# LACK OF EDUCATION



# Issues of minorities in Pakistan

- Labor Wage
- Religious Faith
- Intolerance in Society
- Religious Conversion
- Life in peril

# Minorities Rights in Pakistan

- Religion
- Quaid-e-Azam Mohammad Ali Jinnah
- Constitution
- Liberal Thinking



# Minorities Rights in Pakistan

- Marriage Act
- No Discrimination
- Equality & Justice
- Equal Employment
- Equal Labor Wage
- Rivalry in Living Standards

# Consequences

- Increased migration
- Pessimistic thinking about each other
- Increased injustice

# Minorities Demands in Pakistan

- We wish no discrimination in Pakistan
- We want a Pakistan which must be pure of any kind of discrimination
- We do not wish any kind of quarrel in Pakistan
- We do not wish any migration from Pakistan

# Minorities Demands in Pakistan

- We want equal tolerance from both sides
- We want marriages as per law
- We want equal right in education sector for our children

# Conclusion

- Humanity is the first best religion in the world
- Human beings are equal
- No discrimination by Lord Almighty
- Discrimination would lead to hell

# Conclusion

- We must follow our religious teachings



# Children's Rights Abused--Child Marriage



*A fifteen year old girl marries  
a man twice her age, photo  
source 4.*

- "Child marriage remains a serious concern in Pakistan, with 21 percent of girls marrying before the age of 18." (<https://www.hrw.org/world-report/2017/country-chapters/pakistan>).
- While it is legal for young women to be married as early as 16, girls are sometimes married younger. In certain cases, the girls are wed as a payment of debt or as a trade, even for money.

# Women's Rights Abused--Honor Killings



People stand against honor killings, photo source 5.

- Pakistani law justifies "Honor Killings". When one member of a family, most likely a woman, commits a shameful act, such as adultery, her murder is justified. Often times, young women are burned to death for refusing an arranged marriage or marrying the man they choose.
- Arranged marriages are determined by such factors as "Reputation... Vocation... Wealth... Appearance... Values... Caste/ Religion." (<http://iml.jou.ufl.edu/projects/spring07/Zuffoletti/traditional.html>).
- Sometimes, women have very little say in the marriage, at best. At worst, the marriage is forced.



# Women's Rights Violations--Violence



A woman that survived an attempted honor killing, photo source 6.

- There are at least one thousand honor killings annually; women can be killed and their murders justified for anything dishonorable in the eyes of their family, no matter what it might be.
- Legally, men are allowed to beat their wives in Pakistan.
- Women are so afraid that when they are assaulted, they do not come forward. Women are constantly living in fear of attacks, and hundreds of them are actually attacked.

# Women's Rights Violations--Education



*Pakistani girls in class, photo source 7.*

- Plenty of schools that have been attacked in Pakistan were attacked because they allowed girls in their schools.
- Women like Malala Yousafzai, who choose an education for themselves and attempt to have a say in their lives, are attacked. This is shown by the assassination attempt on Malala's life after she continued to attend school.
- The Pakistani way of life is gender biased; men have the greater, sometimes the only, say in a matter in the life of a female relative.
- Often, there is no "secondary" school close enough for the girls to attend, or they are too afraid. Sometimes, a male relative will forbid the woman to attend school.



# Corrupt Pakistani Police Officers



A group of Pakistani police officers, photo source 8.

A Pakistani police woman, photo source 9.



- The government in Pakistan allows separate trials, investigations, arrests, etc. for people considered terrorists. Naturally, due to this freedom, thousands of innocent people have been unlawfully arrested, kidnapped, assaulted, etc.
- Because of their ability to do pretty much whatever they wish to accomplish, the police are considered corrupt.
- For example, over one and a half million Afghans live in Pakistan; the police, in order to try to get them to leave the country, continually raid their homes, take the little money they have, and reduce their citizenship so that the Afghans can hardly find jobs.

# Corrupt Police Officers--Freedom of Individuality



A group of Pakistani police men, photo source 10.

- If the Pakistani people's rights are constantly being violated, why are they not speaking out? Actually, they are trying. Their voices against the government are heavily oppressed. Activists, like Malala, are put on "hit lists," targeted, and, for the most part, are killed. Facing this danger, many Pakistani people do not speak out against their government.
- The government bans certain movies that negatively portray the government.
- "Women, religious minorities, and transgender people faced violent attacks, insecurity, and persecution, with the government failing to provide adequate protection and hold perpetrators accountable." (<https://www.hrw.org/world-report/2017/country-chapters/pakistan>).

# **C o n c l u s i o n**

**Human rights in Pakistan are severely limited . The people are too afraid to speak out about their circumstances because they do not want to be killed , attacked , or arrested . It is obvious that the most extreme violations of human rights in Pakistan are those of women and children and the abuses of the corrupt police officers.**

## **HUMAN RIGHTS**

- **Human rights refers to the concept of human beings as having universal rights, or status, regardless of legal jurisdiction, and likewise other localizing factors, such as ethnicity and nationality.**
- **The basic rights and freedoms to which all humans are entitled, often held to include the right to life and liberty, freedom of thought and expression, and equality before the law.**

# INTERNATIONAL HUMAN RIGHTS LAW

- Universal Declaration of Human Rights, 1948
- International Covenant on Civil and Political Rights, 1966
- International Covenant on Economic, Social and Cultural Rights, 1966
- Conventions on specific subject. (CRC, CEDAW)



## **Situation of Women Children Rights in Pakistan**

- Education
- 9 million children are not attending school.
- Primary school enrolment is 56 (UNICEF)
- 60 of the population in Pakistan is illiterate and that women form 60 of the illiterate population. (Asian Development Bank, July 2000)
- Female literacy rate of 32.6 compared to 56.5 for males.
- In some areas of rural Sindh and Baluchistan female literacy rates are 2 or less.
- Female literacy rate in FATA is 3 . (FATA development Statistic 2000)



## Health

- Fertility rate (births per woman) 4.5
- Infant mortality rate (per 1000 live births) 74
- Under 5 mortality rate (per 1000 children) 98
- (1998 census)
- 10 million children labourers (SPARC, 1999)
- 3 millions are between 10 to 14 years old (ILO, 1997)
- 3/4 are boys (ILO, 1998)
- 1.2 million children are bonded in the carpet factories.
- 80 of soccer balls sold in the US are made in East Pakistan, where 1 in 5 workers are children between the ages of 7 and 12 (Canadian Labour Congress, 1998)

## Child Trafficking

- 19000 boys from 2 to 11 years of age have been trafficked as camel jockeys to the Middle east (ILO, 2001)
- 4500 children were held in prisons in June 2003
- More than 3000 of these children had not been convicted of any crime (AI, 2002)
- In Punjab, 16000 children under 18 were convicted for crimes. 101 faced the death penalty (HRCP, 1999)

## Child Sexual abuse Detainees

- 2765 women were held in jail nationwide at the end of 2002 (Progressive Womens Association)
- 823 cases of child sexual abuse and violence are reported in 2004 , in which 376 was the cases of sexual abuse and 447 was the physical torture.
- The number of girl in these cases were 391 and boys were 432 (HRCP 2004)

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## **Political Representation**

- 73 women in the 342 seat National Assembly (USSD)
- Women political participation in the Local Govt Election 05, 36.33 and male 56.79
- (Election Commission of Pakistan )

## Domestic Violence

- In 2004, 2367 women cases of physical torture were reported in which 940 women were killed. (HRCP, 2004)
- 42 women accept violence as part of their fate (AI, 2002)
- 50 of the perpetrators of violence are male relatives (AI, 2002)

## Honor Killings

- In 2000, 295 women were burnt 32 were pregnant, 68 under 18 and 60 killed in the name of honor. The conviction rates were low at only 2 (Progressive Womens Association, 2000)
- In 2004, 4101 women were killed in honor killings, an increase of over the previous 4 years (HRCP, 2004)
- At least 751 women in Sindh, 1578 in Punjab, 260 were belonging from NWFP and 185 in Balushistan were killed as a result of honor killings in 2004. (HRCP, 2004)

## **Pakistan accepted the UN instruments**

- The Universal Declaration of Human Rights.
- International Convention on the Elimination of all Forms of Racial Discrimination.
- International Convention on the Rights of the Child.
- International Convention on the Political Rights of Women.
- International Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery.
- Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW, ratified in 1996 but a proviso subject to the provisions of the Constitution' was added)

## Challenges in Human Rights

- Conformity of existing Laws and Policies of Govt. with HR treaties and Laws.
- Poverty' is a violation of numerous rights
- Effective implementation of HR Policies Laws
- Fulfillment of International Commitments (MDGs, CEDAW, CRC, VAW, VAC, National Plan etc.
- Delay in the implementation of ratified laws.
- 'All rights guaranteed - All actors accountable'



## **Challenges in Human Rights**

- Security issues
- Power structure hindering women development
- Propaganda against NGOs
- Long term funding by the donors for long term partnership

## NGOs working on HR

- Right based approach Service delivery along with advocacy
- Awareness on women children rights to masses
- Structural Changes
- Influencing Policy Makers
- Advocating the human rights irrespective of gender but with special focus on women and children

## NGOs working on HR

- Advocating and raising awareness on the rights of women and children nationwide.
- Working for the political and social and economical empowerment of women.
- The repeal of all laws and other legislative reforms discriminatory to women.
- The improvement in women's mobility through increased gender awareness aimed at reducing discriminatory barriers, along with improved personal status and competence.
- The elimination of gender gaps in access to basic education, health, nutrition and financial and economic services.

## NGOs working on HR

- The promotion of reproductive rights, and increased access of both women and men to quality reproductive health care, including family planning.
- The promotion of gender equity norms and values in children, youths and adults through educational programme at all levels.
- The promotion of equality of opportunity and treatment in employment, with a view to increasing participation and integration of women in economic activities, both as entrepreneurs and as employees.

## What Needs to be done

- Nationwide awareness of the rights of women and children.
- The adoption of the National Plan of Action (NPA) by the Government of Pakistan, based on the recommendations from the Beijing Platform for Action.
- The repeal of all laws and other legislative reforms discriminatory to women.
- The improvement in women's mobility through increased gender awareness aimed at reducing discriminatory barriers, along with improved personal status and competence.
- The elimination of gender gaps in access to basic education, health, nutrition and financial and economic services.

## What Needs to be done

- The importance of developing and maintaining a gender perspective on both the causes and consequences of poverty.
- The promotion of reproductive rights, and increased access of both women and men to quality reproductive health care, including family planning.
- The promotion of gender equity norms and values in children, youths and adults through educational programmes at all levels.
- The promotion of equality of opportunity and treatment in employment, with a view to increasing participation and integration of women in economic activities, both as entrepreneurs and as employees.