



Sindh Human Rights Commission



**Report from May 2013
to December 2014**

Government of Sindh



Sindh Human Rights Commission

Government of Sindh

(SHRC)

Report from May 2013 to December 2014



Province of Sindh



Sindh Human Rights Commission (SHRC)

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LIST OF ACRONYMS

A	ADB	Asian Development Bank
C	Commission Sindh Human Rights Commission	
	CBOS	Community Based Organizations
	CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
	CIDA	Canadian International Development Agency
	CRC	Convention on the Rights of the Child
F	FATA	Federally Administered Tribal Areas
	FANA	Federally Administered Northern Areas
	FWBL	First Women Bank Ltd
G	GAD	Gender and Development
	GOP	Government of Pakistan
H	HRSC	Human Rights Studies Centre
I	ICT	Islamabad Capital Territory
	ILO	International Labour Organization
K	KPK	Khyber Pakhtun Khuwa
M	MO	Medical Officer

	MS	Medical Superintendent
	MoWD	Ministry of Women Development
	MoU	Memorandum of Understanding
N	NCSW	National Commission on the Status of Women
	NGOs	Non Governmental Organizations
	NIPA	National Institute of Public Administration
	NPW	National Policy on Women
P	PMDC	Pakistan Medical & Dental Council
	PTV	Pakistan Television Corporation
S	SIUT	Sindh Institute of Urology and Transplantation.
	SDPI	Sustainable Development Policy Institute
T	TA	Technical Assistance
	TA/DA	Travelling Allowance and Daily Allowance
	TORs	Terms of Reference
U	UNDP	United Nations Development Programme
W	WID	Women in Development



JUSTICE (R) MAJIDA RAZVI

Chairperson

SHRC

FOREWORD

The Province of Sindh took the lead in passing democratic legislations. It was a great occasion when on 30th April 2013, the Sindh Protection of Human Rights Act 2011 was notified and subsequently, under the said Act, Sindh Human Rights Commission (SHRC) was notified on 9th May 2013 (see Annexure A-1). Initially a few meetings were held and decisions were taken. The Commission drafted its Rules of Business, prepared the Budget and submitted the same to the Ministry of Law in May 2013. The Rules of Business (see Annexure A-II) were approved and notified on 20th December 2013 but no budget was included for the Commission. Later, there were changes in the Law Ministry which caused a setback to the quick progress of Commission's operationalisation.

In January 2014, the Commission was allotted two independent Rooms in the Secretariat Building No.3. The Law Ministry deputed one peon and two clerical staff. In April 2014 after great efforts the Commission was informed that Rs. Ten Million were granted to the Commission as Grant-in-Aid by the Government for the year 2013-14. This Amount facilitated the Commission to purchase computers, copier, air conditioners and other necessary equipments to enable the Commission to work. It started getting local English, Urdu and Sindhi newspapers to be able to pick cases involving violation of human rights.

Throughout the year, the chairperson and members of the Commission continued attending and holding seminars, conferences and dialogues with the NGOs and the Civil Society, creating awareness about the powers and functions of the Commission and distributing its brochures. It also helped in reviewing Laws and gave its input. It continued meeting with the concerned ministers and secretaries for space, staff and more budget-/Grant-in-Aid. The Commission was facing many teething problems, particularly of space and professional staff to carry out the work. There has been a constant representation and it is high time that these problems are solved on priority basis.

In spite of all the constraints, the Commission tried to work according to its mandate and till December 2014 took 36 Suo Moto cases and 46 Applications were entertained and monitored.

The Commission visited and inspected Jails, Hospitals, Darul Aman run by the Government, Imambargah and Mandirs (temples) destroyed by bomb blasts, met the

survivors and held meetings with the minority communities. After each visit, the Commission gave its recommendations to the Government.

In spite of the work done so far, I still feel that much more work could have been done by the Commission if the Government had given priority to the problems faced by us; and for that, my sincere apologies to all those who expected more. Being a non-political person, I could not cross some of the barriers, to overcome the constraints I was facing.

My special thanks to the Honorable Minister Dr. Sikandar Ali Mandhro, who always received me with respect and kindness and tried to help the Commission.

My thanks to all the NGOs and Civil Society for their support to the Commission.

My thanks to Legal Rights Forum for all the support extended to the Commission.

My thanks to PILER, Karachi for always extending help and especially in compiling and printing this Report.

In the last but not the least, my thanks to my colleagues, members and staff with the request to bear with me and work. With these words, I present this First Annual Report for the period 13th May 2013 to 31st December 2014.

JUSTICE (R) MAJIDA RAZVI

Chairperson SHRC

June 6, 2015

Sindh Human Rights Commission (SHRC)

(Report May 2013 to December 2014)

Chapter 1

Introduction

1.1 In the year 2008 the Sindh Government, taking cognizance of the rise in violation of human rights, established the Sindh Directorate of Human Rights (SDHC).

1.2 Sindh Human Rights Commission (SHRC) was established under Sindh Protection of Human Rights Act 2011 which received assent of Governor of Sindh on 9th June 2011 and was notified on 30th April 2013 under the Interim Government. The SHRC under the above statute was notified on 9th May 2013. It consisted of: Justice (R) Majida Razvi, (the first woman to be appointed as Judge of the Sindh High Court), as the Commission's first Chairperson, besides two Permanent Members namely Mr. Prakash Lal Ambwani and Mr. Gul Munir Shah, both retired District & Session Judges, and two Honorary Members namely: Mrs. Rubina Brohi (Advocate) and Mrs. Salma Baloch, popularly known as Amar Sindhu, (Lecturer in Sindh University, Jamshoro) - both of whom are leading feminists and human rights activists. Two legislators namely Ms. Sharmila Farooqui and Mrs. Parveen Aziz Junejo were also nominated as Honorary Members by Speaker Sindh Assembly and thus the formation of the Commission was completed. Sindh became the first province to set up a Commission for the Protection of Human Rights.



1.3 The Vision of the Commission is *'the creation of a Society free of all forms of Violence and Extremism and based on an Environment of Peace, Interfaith Harmony and Justice'*.

1.4 Pakistan is signatory of a number of international Treaties/Conventions/Protocols that binds the State to create and maintain conditions conducive to the **Protection of Human Rights** in all respects across the country. The Sindh Human Rights Commission (SHRC) is committed to making every endeavor to help the Government of Sindh to fulfill its part of this national obligation.

Chapter 2

Establishment of the Commission

A. The Beginning – Mandate, Prospects & Problems

2.1 At the outset, the Directorate of Human Rights, Government of Sindh, was asked to facilitate the Commission, as neither had the Commission been given any funds nor any space to operate from. The Commission commenced work by holding its first introductory Meeting in the Directorate on 15 May 2013, presided over by Mrs. Anis Haroon, the then Sindh Minister for Human Rights, and another meeting with the Secretary Human Rights, Sindh Government, the same day.



2.2 The Minister welcomed the participants and informed them that the mandate of the Commission is *"to promote, watch and protect human rights all over Sindh"*. She appreciated the efforts of the Law Department of Sindh Government for formally notifying the formation of the Sindh Human Rights Commission. She pointed out that Sindh Human Rights Act 2011 provided an excellent opportunity to promote democratic ideals, respect for human rights and good governance, by supporting a viable and strong mechanism of redress for the violations of human rights. Justice (R) Majida Razvi thanked the Sindh Government for her nomination as the chairperson of the Commission and assured that she would try her level best to set up the Commission according to the Act by using all her ability and experience.



2.3 Meanwhile, on the request of the Minister of Law, Government of Sindh, the Rules of Business of the Commission were drafted and finalized by the Chairperson and the two permanent members and were forwarded along with the Budget and Requisition for the staff, as these were required before 18th of May 2013 to be included in the Provincial Budget.

8. Campaign to introduce and launch SHRC

2.4 The Commission, while functioning from the office of the Directorate of Human Rights, launched a campaign to introduce itself and create awareness about its status. It also lent a helping hand in capacity building of the staff of the Directorate.

The First SHRC Workshop



2.4.1. The First Workshop to introduce the Commission was held on 30 May 2013 at Hotel Regent Plaza, Karachi. It was attended by civil society representatives and media persons, besides the staff of the Human Rights Directorate and representatives of District Human Rights Offices. The Chief Guest was the Minister for Human Rights, Mrs. Anis Haroon.

Welcoming the Minister for Human Rights, Chairperson of the Commission Justice[®] Majida Razvi said: *"I am happy to inform everyone that it were your efforts which paved the way for the establishment of this Commission. The Law: Protection of Human Rights Act was passed in 2011 but the same was not notified till 1st May 2013 and subsequently the Commission was set up under the Act. I must congratulate the Ministry for this great achievement. Today we are here to apprise the NGOs, press and other stake holders about the establishment of the Commission, its powers and functions."*

Commission's Meeting to review prevailing situation

2.4.2 A meeting of the Commission was called on 15 July 2013 to review the prevailing situation of human rights and the status of the Commission. Only the Chairperson and two other members, Amar Sindhu from Hyderabad and Rubina Baluch attended the meeting.



As the quorum was incomplete, the meeting had to be adjourned after an informal discussion regarding the budget, the terms and conditions of the members and nomination of two assembly members by the speaker of the Assembly. Later on, Mr. Prakash Ambwani also turned up.

2.4.3 Meanwhile, the Commission contacted a couple of NGOs for help in getting its profile brochure printed and for holding a press conference in order to maintain the momentum of the Commission's initiatives. Thanks to the Legal Rights Forum, the brochure was printed and delivered to the Commission on 1st of August 2013.

Press Conference

2.4.4 The Commission held a Press Conference at Karachi Press Club on 5th August 2013 with the courtesy of Pakistan Institute of Labour Education and Research (PILER). Besides members of the Commission, it was attended by media persons, representatives of NGOs and PILER.



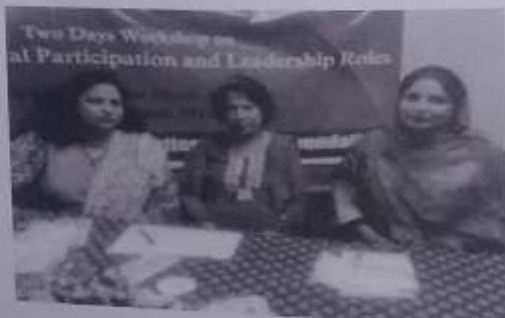
After a briefing by chairperson, there was also a question and answer session. It turned out to be a very fruitful exercise as several aspects of the human rights situation and the Commission's role came under scrutiny.

Chairperson's interaction with NGOs

2.5 Chairperson Justice (R) Majida Razvi is invited from time to time by different NGOs and other forums to speak at their meetings on issues related to human rights and she uses such occasions to brief the participants about the role of the Sindh Human Rights Commission and also distribute the Commission's profile brochure to them.

2.5.1 On 14th August, 2013, Chairperson attended a meeting at Rotary Club of Karachi Cosmopolitan at Panah, in which, besides briefing the participants about the Commission, the profile brochure was also distributed.

2.5.2 Chairperson was invited by Aurat Foundation to give a briefing about the Commission at a workshop held on 27th August 2013 for the Councilors and Parliamentarians from Sindh and Baluchistan at Hotel Regent Plaza. Besides briefing the participants about the mission and vision of the Commission, copies of the profile brochure were also distributed among them.



2.5.3 On 31st August 2013, Chairperson attended a meeting at Madadgar.

Meetings with Government functionaries

2.5 Chairperson had two meetings with Minister of Law and Human Rights, during which she apprised him of the prevailing status of the Commission. The Minister's attitude was very positive, as he called the Law Secretary to get Commission-related matters expedited.



2.6.1 Subsequently, at the request of the Minister, the Budget and Requisition for the staff etc were again drafted and sent to be included in the Provincial Budget.

2.6.2 The Commission was informed that the Chief Minister of Sindh had agreed to meet the Chairperson along with Mrs. Anis Haroon and the present Minister, Human Rights, at the CM House on 31st March 2014. The meeting went very well. The CM was apprised about the establishment of the Commission and its needs and also the problems it faced. Chief Minister was very responsive and asked the Minister, Human Rights to go ahead and extend every help to the Commission.

2.6.3 At the time of Provincial Budget for 2014-15, the issue of funds was discussed in detail in a meeting held among the Secretary Law, the Minister of Human Rights and Parliamentary Affairs and the Chairperson. It was agreed that lacunas do exist in the law, which need time to be looked into and rectified through amendments. As the time to present the budget was too short, the Commission was advised to request for Grant-in-Aid as mentioned in section 8 of the Act.

2.6.4 A 6-monthly Report was presented to the Minister of Human Rights and Parliamentary Affairs in February 2014.

Chapter 3

Commission's Activities in 2014

3.1 The Commission has been carrying on the campaign to popularize its vision and mission and the related activities. It also started taking *suo moto* cases of violation of human rights from print and electronic media and has been dealing with them. Direct complaints also started pouring in and up till now 30-35 cases have been taken up.

3.1.1 The province suffered from drought in the month of March 2014. The Commission decided to visit the affected areas (25 – 28 March) and evaluate the situation. (Detailed report in Chapter 5).



3.1.2 The Commission Members visited the Sanghar Jhole to meet parents of Sughra, who was buried alive by her uncle and his son. They also inspected some jails and temples and its reports and recommendations were presented to the Minister of Human Rights, and copies sent to the Chief Minister. (Detailed Report in Chapter 5).

3.1.3 On 18 June 2014, the Commission held a workshop at Marriot Hotel, Karachi on the subject of: *'Extreme Rise in Violation of Human Rights and Apathy and Inability of the Law Enforcing Agencies to control it'*.



3.1.4 It was chaired by Provincial Minister Mandhro and attended by all the concerned stake holders. The Report of the Workshop proceedings was subsequently submitted to the government and other stakeholders. (More details in the related Report on this Workshop, vide Chapter 5).

3.1.5 On 20th June 2014, the Chairperson was invited by the Chamber of Commerce & Industry at an exhibition: *"My Karachi – Oasis of Harmony"*, where she was given an Award. She spoke about the Commission's role and activities. The Commission's profile brochure was also distributed on the occasion.

3.1.6 On 27th June 2014, the Chairperson attended a Workshop organized by PILER on: *"Awareness"*, where she chaired the session on *"Access to Justice"* at the request of the organisers. Before winding up the session, she spoke about the Commission, its powers and functions and what it had been doing since its inception.

3.1.7 On 24th July 2014, the Commission visited Nawabshah to meet the family of Bisma, a 5-year old child, who was raped by some person. The parents of the child wanted justice for the child.



The Commission gave a press briefing in this regard to the journalists at the Press Club (Details given separately in Chapter 5 in the Report of Visit to Nawabshah).



3.1.8 On 12th September 2014, the Chairperson was invited to a consultation on: "*the Qisas and Diyat Law*", organized by NCSW at Judicial Academy in Karachi where she also introduced the Commission and handed out the profile brochure to the participants.

3.1.9 On 12th September 2014, the Chairperson also attended the "*Sindh Dar Ul Amons Workshop Project 2014*", conducted by Ministry of Women Development in collaboration with Rozan Consortium. She also used the occasion to introduce the Commission and distributed the brochure.

3.1.10 On 13th September 2014, Chairperson attended the launching of Legal Call Centre by the Legal Aid Society headed by Justice (R) Nasir Aslam Zahid. Here too the Commission's brochure was distributed.

3.1.11 On 24th September 2014, the Chairperson was invited to the launching of annual review of "*The State of Social Development and Rural Pakistan*", held at Marriot Hotel. The Commission's brochure was distributed among the participants.



3.1.12 On 9th October 2014, the Chairperson was invited by Madadgar National to meet an Indonesian delegation at Hotel Regent Plaza. The Delegation was informed about the Commission, its powers, objectives and activities since inception.

3.1.13 On 13th October 2014, the Chairperson attended a meeting at Aurat Foundation regarding laws pertaining to minorities.



3.1.14 On 14th October 2014, the Chairperson visited Panah Shelter Home to meet some of the distressed inmates. (Detailed Report in Chapter 5).

3.1.15 On 20th October 2014, the Chairperson attended the launching ceremony related to the establishment of *"Sindh Women Parliamentary Caucus"* and attended the dinner hosted by the Speaker of Sindh Assembly.

3.1.16 On 22nd October 2014, the Chairperson attended the opening of *Abdus Sattar Edhi and Bilqees Edhi Transplant Operation Theatre at Dewan Farooq Medical Centre* and thereafter went to preside at a seminar at Marriot Hotel organised by Help Line Trust on: *"Oral Cancer – A Looming Disaster"*.

3.1.17 On 3rd November 2014, the Chairperson attended an expert group discussion on *"Communities Vulnerable Because of their Belief"*, organized by Federal Directorate of Human Rights at Regent Plaza Hotel.

3.1.18 On 8th November 2014, the Chairperson was invited to be chief guest to inaugurate the *Resource Centre under "GEP" Programme*, at Sindh Judicial Academy. After the opening ceremony, she interacted with guests and informed them about the status of the Commission and the challenges it is facing. Brochure was also distributed among the participants. She also chaired the group meeting of *Technical Working Interact Group* now known as *TWIG*.



3.1.19 On 3rd December 2014, the Chairperson attended a "**Workshop for Agenda for TORs Planning and Development for Grant Cycle 11**".

3.1.20 On 9th December 2014, the Chairperson was invited as a guest speaker at "**Provincial Awareness Dialogue on Sindh Child Marriage Restraint Act 2013**" at Hotel Mehran, organized by Legal Rights Forum.

3.1.21 On 10th December 2014, the Chairperson was invited by South Asia Partnership Pakistan to a function held at Marriot Hotel to celebrate International Human Rights Day, which she could not attend, as she had committed to attend another function on the same day and same time, held by Aurat Foundation at a "**Discussion on Anti-Women Practices Act 2011**".

3.1.22 On 15th December 2014, the Chairperson was invited by Sindh Madrasat-ul-Islam University to speak on "**Citizens' Right to Information and Social Accountability**", where she also introduced the Commission.

3.1.23 On 26th December 2014, the Chairperson was invited by National Institute of Management to deliver a lecture on "**Women Empowerment**". A power-point presentation was also made, followed by a question and answer session.

3.1.24 On 30th December 2014, the Chairperson attended the **Women Workers' Convention, Sindh** held by Aurat Foundation, Karachi.

3.1.25 Apart from the afore-listed engagements, the Commission maintained regular liaison with other concerned Commissions and Ministries, considering its mandate and in general to keep vigilance over violation of human rights.

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Chapter 4

Some Notable Achievements of the Commission

A. Problems faced and their Solutions

4.1 As mentioned in Chapter 1 of this Report, the first introductory meeting of the Commission was held in the Committee Hall of Sindh Assembly on 15th May 2013, which was presided over by Minister Human Rights Ms. Anis Haroon wherein all members, Secretary Law, Director HR and others attended. The Commission was asked to sit in the premises of Directorate of Sindh Human Rights Commission till an independent office is allotted. It continued working in the said premises till January 2014 without any staff and budget etc. However, the Commission started capacity building of the staff working in the Directorate and continued its campaign of creating awareness about the Commission.

4.1.1 The Commission continued its efforts in approaching the concerned quarters for providing independent office staff and budget. Finally in January 2014, with the courtesy of Minister of Law, Parliamentary Affairs & Human Rights (Dr. Sikandar Ali Mandhro) an office comprising two rooms was provided in old KDA building No: 03, Sindh Secretariat. The Law Secretary was approached to provide some staff and subsequently two assistants and one peon were deputed.

4.1.2 The Government of Sindh had granted a Grant-in-Aid of Rupees Ten Million which was released in April 2014 after about eleven months, enabling the Commission to procure essential office equipments viz: Computers, Photo copier and other necessary machinery and purchase of newspapers and stationary to start the work. The Commission could also disburse some salaries for a few months of year 2013.

4.1.3 In the early months of 2014, despite non availability of budget or Grant-in-Aid (received in April 2014), the Commission continued its function, taking *suo-moto* cases from published news items, as well as applications received from victims and the affected families. A total of about 36 *suo-moto* cases and 11 applications were taken and disposed off between January and December 2014.

4.1.4 The Sindh Human Rights Commission from its inception continued holding workshops, Press conferences and interacting with NGOs and members of civil society to provide awareness to the general public regarding establishment of the Commission, its powers and domain. The Commission also visited hospitals temples in the Thar and adjacent areas during drought and interacted with people to understand their problems, prepared its report and submitted it to the Government.

B. Details of selected cases solved by the Commission

Murder – Case of Sughra Brohi, buried alive

4.2 The Commission took suo moto notice of the incident of Ms. Sughra Brohi of Taluka Sinjhora, District Sanghar who was buried alive by her uncle and his son. It visited the parents of the girl and met the Police as well as the press at Jhol and submitted a report of the visit. The case was monitored by the Commission till challan was submitted before the Court.

Rape

4.3 The Commission took suo moto notice of the case of minor girl Bisma of Nawabshah. The girl was five years old, daughter of a Ice vendor, who was raped by someone and left in a bad condition. The Commission visited her house and met the family and assured all possible help. Later in the day it held a press conference at Hyderabad. A report was prepared and sent to the concerned authorities (Detailed Report in Chapter 5).

Kidnapping

4.4 An application dated 29th September 2014 was received from Ms. Ghulam Sughra, wife of Dr. Zulfiqar Ali requesting to trace the whereabouts of her husband who was working at Civil Hospital, Khairpur and was missing since 20th Aug. 2014. The family had tried all avenues but failed to get any information about him. The Commission took notice of the matter and sent a letter on 30th September 2014 to Inspector General of Police, Sindh with copies to Chief Justice Sindh High Court, Commissioner Sukkur and Home Secretary Sindh, urging them to provide information on the whereabouts of Dr. Zulfiqar Ali. As there was no response, another letter was sent to remind them of the powers vested in the Commission and their duties in respect of violation of Human Rights of a citizen. On the fourth day after the second letter, the family informed the Commission about safe return of Dr. Zulfiqar Ali.

Death of Prisoner in Jail

4.5 The Commission took suo-moto notice of a news item published in daily Kawish dated: 13th June 2014, wherein death of a young person namely Naseer Ahmed Channa was reported in Landhi Jail. The family wanted the body of the deceased which was not being handed over to them. The family filed complaint. The Commission took notice of the said news item, and immediately called for comments from the Superintendent Jail. Due to intervention by the Commission, the dead body was handed over to the legal heirs.

Non-Payment of Salary

4.6 An application was received from one Tanveer Ahmed Gopang, a contract employee working with Sindh Government Staff Training Institute, Hyderabad. The complaint was about withholding of salary amount of Rs: 36000/= without any reason. He appeared personally and stated that for two years he has been running from one office to another

without any result. He was fed up with all sorts of problems, the most important being hunger as he had no money to buy food. Though to some extent the case was service-related, but when the very life of a human being is in danger, the domain of Human Rights is supreme.

4.7 The Commission accepted the application and a notice was issued calling for comments from the employer, with the result that the grievance was redressed and payment was made to the applicant. The Commission was notified by the employer and the complainant both.

Burning of wife by husband

4.8 The Commission took Suo-Moto notice of a news item published in daily Express dated: 27th October 2014, wherein it was alleged that one Dil Ahmed, resident of Landhi Sector no.36-G, had burned his wife Maimoona by sprinkling petrol and setting her afire and fled. The brother of Mst. Maimoona who was informed by the neighbors had filed the case but no FIR was being registered by the police. The Superintendent of Police Korangi, Karachi was called upon by the Commission to submit his comments on the case. As a result of the pressure built up by the Commission by calling for updates, finally an FIR dated 5th December 2014 was filed and Challan submitted.

Father-Daughter money dispute

4.9 An application was moved by one Nadia Asif complaining against her father who refused to return her money and jewellery which was kept with him for safety. She appeared personally and stated that she married of her own choice but with the consent of her family. After marriage her husband got job in UK and went away but she stayed with her parents. The husband was sending money regularly and whatever she saved was kept with her father. Now that the husband has returned and they needed money, father refused to return the money and the jewellery also. According to her, he in turn is threatening her to take her by force to Ilaqa Ghair and sell her. She was thrown out of their house and needed money to take a place on rent. The Commission members supported her financially and paid Rs: 25000/=for rent as immediate relief. Meanwhile she had time to settle the issues with the help of her community people.

Criminal Assault charge against Madrassah teachers

4.10 The Commission took suo moto notice of a news in Daily Ummat, Karachi, about the case of a teacher cum administrator of a Madrassah in Orangi Town, who was criminally assaulting girls with the help of some teachers and inspite of complaints no action was taken by the owner of Madrassah. The said Madrassah was registered with Wafaqul Madaris. The column printed in the paper gave full details; as such a notice dated 11th July 2014 was issued to IG of Police Sindh, Commissioner Karachi and General Secretary Wafaqul Madaris calling for comments and as to what action has been taken against the culprit. No comments were received from any of the three addressees; as such a second notice was issued.

4.10.1 In response to second notice, one Mr. Abdul Majeed, Nazim of central office Wafaqul Madaris replied stating that the said Madressah was registered with them but after getting complaints, the registration was cancelled. No details were given as to whether any action was taken against the persons involved in these criminal activities. The question is whether deregistration of the Madressah was the only option or the Registering Authority should have taken steps for police investigations. There was no response either from Commissioner's office or from IG Sindh Police. However, the Commission not being satisfied with the reply has forwarded the case to the Ministry of Religious Affairs, Sindh and Punjab, and I.G., Sindh, to take further action as per law.

Forcible deprivation of property - Case of Saira Bano.

4.11 An application was received from a resident of Panah Shelter Home for help to trace out her properties forcefully taken over by her relatives. The application was entertained, considering the circumstances of the case. Notice was issued to concerned officer to appear with all the records, which was complied with. The records were inspected and the complaint was found genuine. The case is being investigated further and hopefully there will be positive results. ((Details are not given as the case is proceeding.)

Chapter 5

Reports of Visits to Tharparkar (covering Badin, Mithi, Islamkot, Nagarparkar, Sinjoro) and Hyderabad - 25th to 28th March 2014

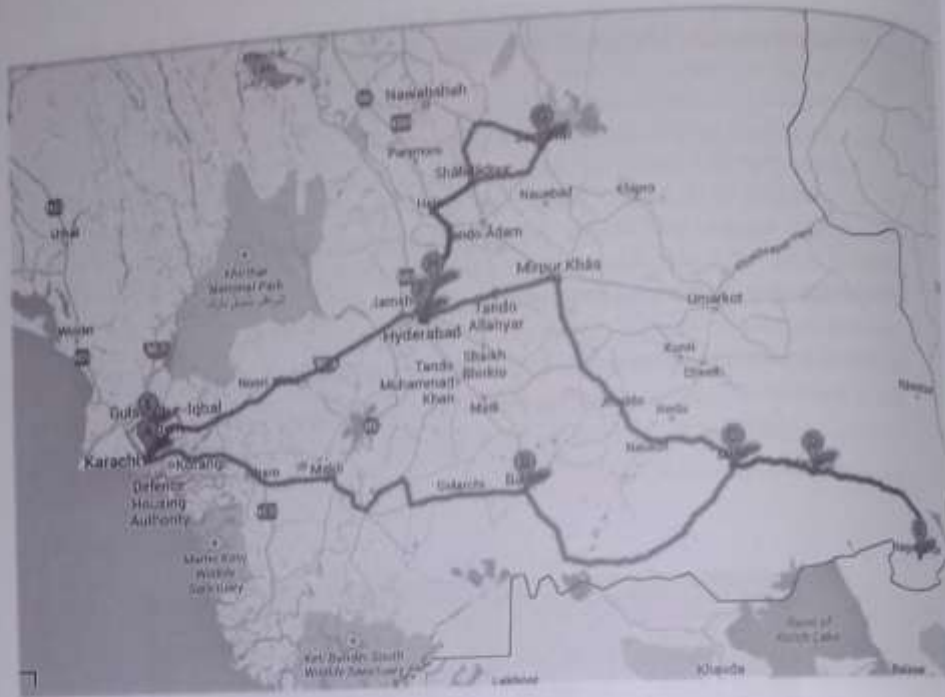
5.1 A three member delegation of Sindh Human Rights commission comprising Mr. Gul Munir Shah District & Session Judge (rtd) and Ms. Rubina Brohi Advocate, led by its Chairperson Justice (rtd) Majida Razvi, left on 25th March 2014, to visit the drought-affected areas of Tharparkar, and personally see the prevailing conditions in view of different reports from media and government.

5.1.1 The Commission members and the Chairperson were also perturbed by news of a young girl Sughra Brohi who was reported to be buried alive in Jhole, Distt. Sanghar, and Karo Kari cases wherein Jirgas were held, giving punishments which were totally illegal and in violation of human rights.



Beauty of Thar

Road Map of SHRC Commission's Visit to Tharparker



Itinerary of visit:

Key	Area	Date	Time	Meetings / Visits
A	Karachi	25 th March 2014	11:00 a.m.	Started off from Karachi
B	Badin	25 th March 2014	2:30 p.m.	Briefing from Mukhtiarkar Mr. Maqsood DPP
C	Mithi	25 th March 2014	6:30 p.m.	Meeting with Mukhtiarkar Mr. Ghulam
		25 th March 2014	7:00 p.m.	Discussions with DHO Mithi, Dr. Abdul
		25 th March 2014	7:30 p.m.	Round of Civil Hospital Mithi
		25 th March 2014	8:00 p.m.	Survey of Medical Relief Camps at Kashmir Chowk
		25 th March 2014	8:30 p.m.	Meeting and Discussion with Mr. Taj Haider, Senator
		26 th March 2014	9:30 a.m.	Visit to Army Camp

		26 th March 2014	11:30 a.m.	Visit to Mithi Jail Discussion with Superintendent Jail
D	Islamkot	26 th March 2014	4:00 p.m.	Taluka Hospital, Rural Health Centre
E	Nagarparker	26 th March 2014	5:45 p.m.	Visit to temples Interaction with Hindu community
F	Hyderabad	26 th March 2014	12:00 p.m.	Reached Hyderabad Gymkhana for dinner. Stayed at Judges Lodge / Circuit
G	Sanghar	27 th March 2014	9:00 a.m.	Started off for Sanghar
		27 th March 2014	11:00 a.m.	Press Conference at JHOLE Press Club regarding Sughra Brohi's
	Sinjhero	27 th March 2014	12:30 a.m.	Visit to the house of Sughra's parents
		27 th March 2014	2:00 p.m.	Visit to Sanghar Jail
H	Hyderabad	27 th March 2014	9:00 p.m.	Reached Hyderabad, stayed at Judges Lodge / Circuit House
		28 th March 2014	9:30 a.m.	Hyderabad Central Jail
		28 th March 2014	11:30 a.m.	Hyderabad Women Jail
		28 th March 2014	1:30 p.m.	Lunch at Judges Lodge and then left for
I	Karachi	28 th March 2014	5:00 p.m.	Back to Karachi

Visit to Badin and Mithi

5.2 The members on way to Mithi stopped at **Badin** and met Mukhtiarkar Mr. Maqsood DPP, and enquired about the prevailing conditions in the area.



Badin Rest House



Meeting with DPP Badin

5.2.1 After lunch at Rest House, the delegation proceeded to **Mithi** as planned and reached there at about sunset time. At Mithi, Mukhtiarkar Mr. Ghulam Mustafa Khoso met the members and briefed on the current situation of Tharparker.

5.2.2 The members thereafter visited Relief Camps at Kashmir Chowk. It was clear that all relief camps distributing food items were rolled back and only some medical camps of religious groups were there. The incharge of the camp informed that their camp was providing medical aid to the affected people with the help of their team of doctors.



Medical Relief Camps at Kashmir Chowk

5.2.3 The Commission members met the public in the area and were informed that relief goods are being distributed in villages, as many villagers do not have easy access to reach the city.

5.1.4 After a survey of the area and talking to people gathered over there, the members then went to see DHO Mithi, Doctor Abdul Jaleel in his office and enquired about the medical facilities being provided in the district. He informed the members that vaccines and medicines, even life-saving medicines, were available in good quantity which are received from the Government as well as from NGO's. But he complained of shortage of doctors especially of consultants. He requested the Commission members to take up this issue with the concerned authorities as he had already reported the matter.



Discussions with Rtn. Harish Soni & Dr. Jalil at Mithi

Visit to Civil Hospital Mithi

5.3 The Commission thereafter went to visit **Civil Hospital Mithi**. Opposite to hospital there was a camp set up by Bahria which gives food twice a day to those who come to the camp. They also donated some beds to the hospital.

5.3.1 The members went round the premises. Part of hospital was clean otherwise it was dirty and crowded with visitors, men, women and children. When this was pointed out the doctors said that it is very difficult to control the visitors.



Doctor briefing the Delegation



Attendants crowding the alleys



Shocked to see the dirty condition of Hospital

5.3.2 The members questioned the people present there, about medicines and services by the hospital. The complaints were about negligence and poor quality of medicines which in the public opinion were some of the causes of death of children. Most of the children were suffering from pneumonia and anaemia (low haemoglobin). The mothers looked famished and anaemic.

5.3.3 According to doctors every couple has 6 to 8 children. There is no concept of birth spacing, due to poverty and ignorance the mothers are weak and so are the children born to them. There seemed to be a general shortage of doctors and specialists.



Discussing about this dialysis patient.

Patients and attendants famished but hopeful



Inquiring about children's sickness. Patients & attendants cannot be identified
Cluttered beds and surroundings



Pitiable condition of mother and sick child



Sick siblings (5, 3 & 1 yrs) on one bed

5.3.4 The members returned to Rest House at about 8:30 or 9:00 pm, where they met Mr. Taj Haider, Co-Coordinator appointed by Chief Minister, to take care of the relief services. There was a detailed discussion about the prevailing conditions and efforts of the Government in tackling the situation. He informed the members that he was visiting the sites daily and reporting.



Meeting with Senator Taj Haider (left) and with Army officers (right), discussing relief operations

Visit to Army Camp

5.4 The next morning, on 26th March the members visited the **Army Camp**. The delegation, though went without prior notice, were well received by Capt. Ali and were informed that the Chief of Relief Operation will be there to give the briefing. The members were given full briefing with charts etc.



Briefing from Chief of Relief Operations with Charts

5.4.1 They also explained that enough aid was distributed in the city and now they are focusing on villages especially for those who have very difficult access to city. He further said that as promised to PM they were going door to door delivering relief goods. They are also providing medical relief to people who came to the city base camp. They informed the Commission members that about 1800 Tons of relief goods were received by them, out of which 700 Tons were provided by the Army and rest was donated by NGOs etc. They also said that 1200 Tons of relief goods had been announced by the UAE Government, out of which 2.5 Tons have been received while the remaining are in pipe line.

Visit to Mithi Jail

5.5 After some more discussion, the Members left the camp and proceeded to visit **Mithi Jail**. They were informed that it is a Sub-Jail of Mithi. The Superintendent

Jail, Mukhtiarkar Mithi Ghulam Mustafa Khoso was present and provided information about Jail. According to him there were 40 UTPs out of which 37 were facing murder charges while the rest were booked in minor cases. The Superintendent further informed that production of UTPs is regular but cases do not proceed. He also informed that they spend about Rs. 145/- to Rs. 150/- per prisoner per day as per jail manual. According to him he has been bearing expenses for last 16 months but has not received the money from the government. The medical storeroom was sufficiently full of medicines and generally speaking the premises were clean and there seemed to be good and effective control.



Interaction with the prisoners at Mithi Jail

Visit to Islamkot

5.6 The Commission members thereafter proceeded to **Islamkot** and visited **Taluka Hospital, Rural Health Centre** and discussed the prevailing conditions and supply of medicines and other relief activities. There were complaints about quality of the medicines. They were also informed that TB is spreading fast and due to shortage and low quality of medicines the disease is not under control and is creating scare among people in Tharparkar.



Visit to Rural Health Center, Islamkot



Interaction with visitors at Health Centre



Discussing issues with doctor



TALUKA Health Center Mithi

5.6.1 There were quite a few cases of viral diseases among children but majority was suffering from pneumonia and were very anaemic. According to doctors, the women are married at young age and frequent pregnancies cause anaemia not only in women but also in the new born babies which makes them vulnerable to all infections. Low quality of medicines and vaccines, which are not effective, results in deaths of babies / children. The doctors complained that medicines and vaccines are not supplied on time by the district officers, which results in shortage and people suffer due to the mismanagement and negligence. There is dire need of specialists also. The Commission Members were requested to convey the problems to the concerned authorities.

Visit to Nagarparkar

5.7 From Islamkot, the Commission members proceeded to Nagarparkar. They noticed that there was a strong Hindu Community in Mithi, Islamkot and Nagarparkar, as most of the doctors and other staff and visitors were from the said community. The Commission also visited some temples and interacted with the Hindu community with regard to minorities' issues. There was a general apprehension among the Hindus about alleged forced conversion by the Muslim religious parties.

Visiting Temples at Islamkot



Visiting temples at Islamkot



Visit to Sanghar, Jhole and Sinjhora – Sughra Brohi's case

5.8 After the visit, the delegation returned to mitthi and proceeded to **Hyderabad**. The plan was to visit **Sanghar, Jhole and Sinjhora** to get first hand report about the case of Sughra Brohi and meet her parents and also to visit jails of these two places.

5.8.1 In the morning of 27th March the Commission members started for **Dist. Sanghar** and met journalists at **Jhole Press Club** where SHO Jhole Gazi Khan Rajar, President Press Club Mr. Mumtaz Shar and other members were present and gave details of murder of Sughra. The journalists appreciated the efforts of the Commission and requested that it should take strict measures to combat crimes against women especially in the honor killing cases, where a murder takes place after proper planning. They emphasized that High Court should take suo moto notice of cases and keep track till the challan is submitted. They further informed that two persons namely Nazar Mohammed Brohi and Ghulam Mohammed Brohi (uncle and cousin of Sughra) have been arrested, who have confessed before the Anti-Terrorism Court of murdering Sughra.

5.8.2 The Journalists said that there is no proof of Jirga, but all this happened under the tribal rule. They said that we the media people are willing to testify in the court with all the facts that we know of, if needed. They praised the efforts of Jhole police for informing and sharing the news of murder with the media.

5.8.3 Briefing about the facts they informed the Commission that Sughra Brohi, a 16 year old girl, had left her parents' house with a boy named Mohammed Ali Khaskheli to get married. They went to Badin to his brother's house but he refused to give them shelter. Then they left for Haji Mohammed Gorchani village to seek shelter. But after a few days the family with whom they were living contacted Sughra's parents asking them to come along with some prominent person of the area in whose presence they will hand over the girl to them.



At Jhole Press Club



House of Sughra Brohi's parents

5.8.4 The family of the girl approached Mr. Ali Khan MPA (PML-F) who accompanied them to Gorchani village where the girl was handed over to them in an unconscious condition. The whereabouts of Mohammed Ali Khaskheli are still unknown, and it is feared that he might have been killed. This incident took place under the jurisdiction of Mirwah Gorchani Police Station, Mirpurkhas.

5.8.5 There is a strong belief that the handing over of the girl was done under some sort of agreement on 22nd February 2014, in which ASI Imam Ali of PS Kot Ghulam Mohammed was a party. The Kawish newspaper had reported this news on 23rd February 2014.

5.8.6 After a few days, Sughra's uncle and his son took the girl to their village Usman Nizamani to marry her off, but subsequently news came that they had already dug a hole in the Bheel's graveyard near Jhole Police Station in village Hakim Marri, Sinjhora and buried her alive in the middle of the night. Her cries did not stop the elders from committing this heinous crime. The girl's slipper and a piece of cloth were found outside the grave.

5.8.7 Four policemen were posted as guards at the grave of Sughra Brohi. News reports say that on 1st March 2014, under Court's order, her body was exhumed for post mortem. The Commission has asked for copy of post mortem report).

5.8.8 Thereafter, the members along with the police officials of Jhole and Sinjhora proceeded to the house of Sughra's parents, where they met her parents and grandmother and discussed the case. The parents demanded justice in the case of their daughter's murder.



With mother & grandmother of Sughra Brohi

5.8.9 The members assured the parents that the Commission will follow the case and will do everything in their power to ensure that Sughra's murderers are given due punishment for this heinous act in accordance with the law.

Visit to Sanghar Jail

5.9 The delegation then proceeded to inspect **Sanghar Jail**.



5.9.1 The entrance to the jail gave a pleasant surprise as the premises were clean and neatly marked by rows of plants and rose bushes were there.



Entering Sanghar Jail for inspection

5.9.2 The Commission Members were briefed about the security arrangements that police is performing round the clock duty at seven watch towers. They were further

briefed with the help of charts about the personnel posted in the jail, number of prisoners, renovation and repairs being carried out etc.



Prisoners of Sanghar Jail

5.9.3. The MO informed that 24 prisoners are suffering from HBV and 38 from HCV. There were 2 prisoners suffering from HIV. Screening and other facilities are provided to inmates. Stock of medicines was adequate. The members went round the barracks and talked to prisoners and enquired about general facilities provided to them also about their production in the courts. There was a general complaint that cases do not proceed due to strikes etc.



Meeting with the Jail Doctor



Inspection of Prisoners' Block



Talking to inmates who killed their own daughter in the name of honour

Visit to Hyderabad Central Jail

5.10 The Commission members then went back to Hyderabad at around 9:00 p.m.

5.10.1 The next morning, on 28th March at around 9:30 a.m, they proceeded for the inspection of Central Jail, Hyderabad, where they were received under the shower of rose petals, by the Superintendent of Jail, medical officer and other staff members. On the request of members the delegation was first taken round the barracks of the prisoners where they spoke to the inmates enquiring about food and other health facilities. The members were told about the nature of cases, their production in court and case disposal.



Entering Hyderabad Central Jail



Discussing Issues with MO

5.10.2 There were four prisoners aged 80 years and above. One of them was 92 years and has gone blind. According to the record they have completed most of their terms and were incapacitated and a burden on the jail. The delegation was requested to help put up their cases before the Government and the Hon'ble Chief Justice of Sindh.



92 years old blind prisoner



With the inmates of jail

5.10.3 The Commission members were then taken round the kitchen where food was being prepared. The place was clean and it could be seen that it was not made up for the visit but even otherwise a clean kitchen. Then the round continued to medical store where the shelves were well stocked with the medicines. The Doctor who accompanied from the beginning was satisfied with the supply of medicines and other emergency services. At the end of the visit the members sat and discussed some issues in the office of the Superintendent. There they were also introduced to one of the prisoners who makes beautiful items of beads which members purchased.



Some 80 years old prisoners



The man who produces beautiful bead items.

Visit to Hyderabad Women's Jail

5.11 Thereafter, the Commission members moved to **Women's Jail**, which was located just next door.

5.11.1 There were total 32 prisoners in the jail. Some of the blocks were under construction. The place was clean. The woman jailor and the medical officer were present who took the members round the barracks. Some of the prisoners were given single rooms because of their good conduct in jail.

5.11.2 There were no complaints from the inmates in regard to food and medical facilities. In the day time the prisoners were free to move around.



Visiting the women prisoners' barracks



Discussing medical facilities with the MO

5.11.3 This being the last visiting point as planned, the delegation left Hyderabad for Karachi.

5.12 Recommendations after tour of Tharparkar

After the tour of Tharparkar, visiting seeing and observing, focusing on how to improve the lot of the people living in that drought-recurring and poverty-stricken area, the following points emerge for our consideration:

Primarily it needs long term planning to settle the issues of :

1. Water conservation, keeping in mind the percentage of yearly rain resulting in frequent droughts in the area,
2. Electricity - Coal / Solar system
3. Connectivity of remote areas with cities- Network of roads,
4. Intensive education and health projects on war footing,

Note: Needs Government and private partnership to work without any bureaucratic hurdles and any possible corruption.

Submitted for kind consideration of the Chief Minister of Sindh.

Justice (R) Majida Razvi
Chairperson SHRC
Karachi, 17 April 2014

Chapter 6

Report of Workshop held on 18th June 2014 at Marriot Hotel, Karachi

6.1 Sindh Human Rights Commission held a workshop on "*Extreme Rise in Violation of Human Rights and Apathy and Inability/Helplessness of the Law Enforcement Agencies to Control*" at Marriott Hotel on 18th June 2014. Dr Sikander Mandhro, Minister of Parliamentary Affairs and Human Rights was the Chief Guest. Other speakers were Justice R. Shariq Usmani and MPA Ms. Sharmila Farooqi, member of the Commission. It was attended by almost all the stake holders of the civil society.



Ms. Rubina Brohi member of the Commission was moderating the workshop.

6.1.1 The Chairperson of the SHRC Justice Majida Razvi welcomed the Chief Guest thanking him to spare time to attend and thanked all the participants to come as the subject being very important relating to present time.

6.1.2 She said that the topic of this workshop was thought of much earlier than the attack on the Karachi airport which again changed the entire scenario. The attack on Karachi airport took us back to various such happenings like attack on Mehran Base again in Karachi and several attacks on different posts of our armed forces, rangers and police. Every time it happened, the statement of the leaders came: "*Qatal Karnay Walay Ko Katehray Mei Laya jaye ga*". And instructions are issued by the Chief Executive to different agencies to assist the Provincial Government in dealing with the situation.



6.1.3 But no concrete steps are taken to forestall such incidents. She said that the entire week there were seminars and meetings of the civil society discussing the ongoing scenario and contemplating as to what measures be taken / recommended. And, then comes Saturday, the 14th June, with the shattering news that Hendrix Masih, the MNA of minorities from Balochistan is murdered by his own guard. "This news took me immediately back to the murder of Governor Salman Taseer, who was murdered by his own guard also, and how the murderer was welcomed, lauded and garlanded by some elements of our society. He was defended by some of the top lawyers of the country. I wish if we had taken effective steps to bring the murderer to the gallows and pre-empt such happenings in the future, today MNA Hendry Masih wouldn't have fallen a prey to his guard."

6.1.4 "Although we are talking about the violation of human rights, but when the very existence (i.e. the right to live) is in danger, can we expect any other rights to survive?" With this question posed to the audience, the Chairperson handed over the mike to the moderator who invited the Chief Guest to the rostrum to speak.



6.2 The Minister **Dr. Sikander Mandhro** appreciated the efforts of Chairperson Justice Majida Razvi, and said that there is no doubt that it is the duty of the government to safeguard the human rights of its citizens, but everybody is also required to safeguard the human rights, and until and unless the society puts in its contribution, this cannot be achieved. He said it is duty of all those who have means to help the poor and needy and then be rewarded here and in the Hereafter. All of us must get together to shoulder such responsibilities for the betterment of the society in general. For this we need resources financial as well as political, wherein comes the Government.

(As the Minister concluded his speech, the Chairperson reminded him of the non-availability of resources, staff and office space for the Commission).

6.3 **Ms. Rubina** posed a question as to how a person should react in the unpredictable law and order situation? **Justice R. Shariq Usmani** replied that human rights violation has been taking place in the subcontinent throughout and people were not aware of its possible impact but now the media is relatively free and people have access to information and hence there is more awareness. He mentioned the case of Farzana who was killed by her own people by stoning in front of the High Court, only indicating the callousness of people. "There is a stark contradiction in what we say and do - talk of human rights but we have a culture where human rights violation is condoned, especially women's rights, even religious scholars go against it, although Islam has given so many rights to women. It is only in Islam that marriage is a civil contract and the girl's consent is a must. People did not intervene in Farzana's case because they thought she had committed a sin and was liable to be stoned to death. We need to change the mindset of our society. In every school and college we should have human rights in the syllabus. We also need legislation for this purpose. People do say that there is no use making laws as these do not get implemented, for example the Child Marriage Restraint Act, but one day because of this Act, there will be a change!"

6.4 **Ms. Sorath Thebo of (PML-N)** said that people protesting against violation of human rights are killed with impunity as the accused are influential people and knowing their status are sure that no action will be taken against them.



6.5 **Ms. Mahnaz Rehman**, Director Aurat Foundation lauded the efforts of Chairperson SHRC Justice Majida Razvi and the wonderful work being done by the Commission under her leadership despite lack of resources. She said that what happened at Karachi Airport shocked all of us. And we were still in a state of shock when we came to know of the Lahore

incident. She said the biggest problem is the extremists, who have penetrated or have been given space in our society by the government and the law enforcement agencies. "These agencies are unfortunately more involved in the protocol duties of VIPs. The VIP culture should be finished and police be used for the protection of common citizens. The institutions should be strengthened rather than focusing on individuals. It was due to the wrong policies of the Zia Government that the militants got a foothold in the country and are now killing our own people. But even now there is a chance to redeem the lost space. Concede and protect the rights of all the entitled citizens, whether children, laborers, women or minorities. There is seen a lack of coordination and direction in the policies of all present and past federal and provincial governments in the way they deal with people's rights. Religious extremism should be brought to an end and a progressive enlightened society should be evolved with protection of rights of all."



6.6 Sharmila Farooqi said that this is the first workshop of SHRC focused on brainstorming and reaching solutions on the subject, which we can work on. As Chairperson said, the SHRC also has suo moto powers. We should use this forum to create pressure on government as well as law enforcement agencies. The violation of human rights can only be stopped through legislation. And then the implementation of that law once the law is made is the way that people will get benefit. Almost 100 bills have been passed in the present session, like Child Marriage Restraint Act. It is always good to have laws which can always be used when needed. We as legislators say that if there is no law in the first place how can we take steps to implement. There are many laws that need to be revisited. Ms. Sharmila Farooqi appreciated the efforts of Law Minister Sikander Mendhro for his unconditional support and proactive approach without which no bill could have been passed. Otherwise it is of no use if we make bill and they are not taken to the floor of the Assembly and passed. She said that we all are terrorized whether we are judges, doctors, civilians, government officials, journalists etc. but despite the fact that we are terrorized we have not lost courage. Despite the various odds against us we still have the will and the "jazba".



6.6.1 She said human rights start within our own home. Take the case of Farzana for instance and compare with Delhi rape case where the whole civil society came out and got their law changed. Another case of Baby Sana who was raped and her body was found in a bag in a gutter. Two traffic constables had done it. The case was taken to the anti-terrorist court, and there was a landmark judgment of capital punishment in 40 days. But in appeal, one was acquitted on benefit of doubt and the other's appeal is still pending in Supreme Court. Referring to yesterday's Lahore incident, she said that it is time we stood up and took responsibility. The State has resources but as members of civil society we have our role to play too. It is a fact that most human rights violations are with women and children all over the world. A very important issue is forceful conversions. We need proper legislation and proper implementation. She said that religion is being brought into politics and being brought very forcefully. Council of Islamic Ideology has given a ruling that DNA Test is not necessary for rape case. Justice R. Shariq Usmani is present. Judiciary should take notice and take a zero-tolerance approach. She said that on 20th September 2008, in the first joint session of the Parliament, the then President Mr. Asif Ali Zardari had said "We cannot turn decades of social backwardness with the stroke of a pen but slowly and steadily we will turn the tide". We are inching towards betterment and there is still hope.

6.7 Q & A Session:

Amar Sindhu commented that it is said that we the members of civil society do not get up but the most martyrs are the members of the civil society, from Salman Taseer to Rashid Rehman.

We are the most suppressed group but also the ones who raise the most voice, but whoever amongst us raises voices he /she doesn't have a support system to back him up.

Her recommendations were: -

- 1) Government should set up a support system. It should lay down parameters as to what extent can law enforcement agencies help the victim.

2) Pass legislation. The Government should also lay down a system, after making laws, for implementation and accountability.

3) The Jirga system is standing parallel to judiciary and being held by MPAs. Even if we make many laws, with Jirga system, the implementation is not possible. In 2004 Sukkur Bench had given a judgment that Jirga's are illegal, but still these are held. The only people protesting are the women rights and human rights defenders, very few others join.



Zahid Farooq, a human rights activist, spoke in respect of rights of minorities and said that the needy Muslims get Zakat from hospitals for treatment but a deserving minority member doesn't and cannot get Zakat; he asked if there is a way that such people can receive Zakat /charity from the Bait-ul-Maal fund? Another point he raised was that it is said that human rights be taught in schools as part of the curriculum, but this is needed in Madressa's as well. He also said that the sium areas (katchi abadis) are shelters for terrorists and should be rechecked. It is unjustified to call such abadis illegal and getting these demolished, but yes a monitoring system should be installed. He also commented that a Christian marriage is a sacrament (not a contract) and it can never be broken. Many times widowers declare themselves bachelor and get married. He suggested for evolving a system in place to indicate correct status. He commented on the petition filed by Edhi in Supreme Court and its judgment facilitating NADRA's policy in regard to adopted children to get CNICs and CNIC of Hindu women.



Mr. Zulfiqar from PILER congratulated the Commission for the great work being done despite all odds. He questioned the independence of the Commission and asked if the Commission has called any officer for negligence of their duties as you have the mandate under the Act. In Karachi since the operation has started, in eight months 360 people have been killed on the pretext that they are criminals. Will SHRC take this up as suo-moto cases? And if needed we can bring the petition. He also said that the Commission should take up the basic violation of human rights of minorities, women and children. Referring to the establishment of the SHRC, he said that earlier we did not have an official platform but now we do and it is accessible to us also.

One of the participants, referring to the attack at Karachi airport, said that as citizens we do not know how to deal with such situations and tend to think that we will get killed too, how much will the government and law enforcement agencies support us? We are in a war-like situation every day. It is very important that citizens are equipped with the knowledge of how to deal with it. The Govt should establish institutions like Citizen Disaster Response and Civil Defense.

Farhat Parveen said that it is not just a Karachi issue but this situation is prevalent in the whole of Sindh, there is no law enforcement at all and there has been no improvement in Sindh where there is a very strong authoritarian system. Our Assemblies themselves encourage people to buy weapons, as licenses are issued.

She said that till the time Justice Majida is with us we know our problems will be taken up. If there is no peace in rural Sindh there will be no peace in urban Sindh. Our Sindh Assembly needs new blood. PPP has many talented people. Speaking of rights in the workplace, she said that the Commission should take up a few cases, which are not getting solved. The mindset of our Assemblies that the more militarized we are the better we are should be changed.



Hilda Saeed asked if SHRC can take up de-weaponization. In media there should be awareness programs. Article 25 of Our Constitution guarantees equality of citizenship but

then Hudood Laws and other controversial laws were legislated which has confused people. The media should support the Commission for increasing awareness.

Tahir Iqbal praised Chairperson Justice Majida Razvi for her efforts despite the fact that government has not even given the Commission enough place to sit, the question of finances and staff comes later he said. He urged that as members of civil society we should pressurize government that SHRC be given resources as soon as possible. He said that we as members of civil society commit that we are with SHRC.

Farhat Parveen asked about budget of the Commission for current year. JMR explained that in April SHRC received the Grant which was given for the past year. She said that Dr. Mendhro has been of great help. She said that the Commission is working since May 2013 but still no salaries and staff have been approved/paid. But we are hoping that in the coming budget it will be approved.



Mrs. Nargis Rehman commented that there is no strategy of the Govt. to deal with any issues like minorities, education and good governance.

Ms. Fouzia Yousof, who provides free legal aid to prisoners, said that there are thousands of people in jail but the prisoners do not have any knowledge of their rights, how their rights are being violated is a secondary question. According to our Constitution a prisoner has to be produced before a Magistrate within 24 hours. They don't even know Fair Trial Act. A budget should be kept for the training of jail police.

Ms Musarrat spoke about Complaint Centers set up by the Government and asked these to be reactivated.

HR advocates from Balochistan observed that children are not being educated, the schools buildings are occupied by cattle and drugs are being sold near schools. He also complained that children are being given weapons.



Mr. Gul Muneer Shah member of the Commission thanked all the participants for their active participation and support to the Commission.

Chapter 7

Report of Visit of the Commission to Nawabshah and Hyderabad (24th and 25th July 2014)

7.1 The Sindh Human Rights Commission having a mandate of enjoying suo-moto powers has streamlined a system in office of going through the electronic media and local newspapers to monitor the cases of violation of Human Rights and accordingly issue notices to the concerned departments, agencies, ministries and other institutions or individuals also.

Case of 5-year old girl Bisma's Rape

7.2 The Commission on 21st July 2014 received the news through Daily Kawish that a five-years old girl Bisma was raped by unknown persons in Nawabshah,

7.2.1 A notice dated 22nd July was issued to the Senior Superintendent of Police, District Shaheed Benazirabad for comments and action taken in the case. After exchange of some correspondence, considering the heinous nature of the crime, the Commission decided to visit the affected family, meet the press and also meet people in Hyderabad, to create awareness in regard to the Commission and discuss reasons for increase in cases of rape and honor killings and other issues of minorities.



7.3 The chairperson left Karachi for Hyderabad on the evening of 24th July after attending office. The members of the Commission namely District and Session judge (R) Gul Munir Shah and Ms. Amar Sindhu joined in Hyderabad on the morning of 25th and went to Nawabshah where they met some press people and one of them accompanied to take the members to the house of the affected family.



13.1 The family is poor. The father of the girl has a small place where he sells ice. The little girl had come to him for money to purchase Dates (Khajji) from nearby Vendors. While coming back she was taken away by someone and raped and left her there. While investigations were going on by the police. The parents in the meeting said that they want justice for the little girl. The girl was like a lost person. The family has a disabled child also. The members tried to contact the police but could not contact the relevant person.



14 Thereafter the members met the journalists who had gathered at the Press Club for a briefing. While leaving the Press club the members met some agriculturists who were demonstrating outside the Press Club, against non-availability of water for their crops. A petition was received by the members to forward the same to the Govt.



7.5 In the evening the Commission met the members of civil society at the office of SPO Hyderabad.



7.6 The chairperson of Sindh Human Right Commission along with the delegation comprising the members, Ms. Amar Sindhu and Gul Munir Shah (R) District & Session Judge had an introductory meeting with the media persons and civil society organizations which was held in SPO office, Hyderabad on 25th of July 2014.



7.6.1 The large number of media persons, civil society leaders, human right activists and different stake holders of the society attended the meeting and fully participated in open session of questions & answers.

7.6.2 The meeting started with the welcome remarks of Mustafa Baloch of SPO. He welcomed Justice Majida Razvi and said the presence of Justice Majida Razvi, the chairperson of the SHRC is great honor for SPO and SPO feels pleasure to hold this get together meeting to introduce SHRC to the civil society of Hyderabad. He further said that it is great opportunity for human rights activist and defenders to have SHRC to contact for any human rights violation in Sindh. Justice Majida Razvi thanked all the people for their participation and concerns about violation of human rights in Sindh. After welcome remarks she informed the house about the establishment of the Commission and said, SHRC is actually the first ever commission throughout Pakistan; which has been established by province Sindh on 13th of May 2013. It is therefore honor for Sindh that the commission of human right first comes into being in Sindh than any other province. She also told that

Commission actually is comprised of, Chairperson, two permanent members, two members nominated by the speaker of Sindh Assembly and two members from civil society. It is mandatory for Commission to overview the situation regarding human rights in the province and would intervene where ever feel need to take the issue. She said along with individual cases of human rights violation SHRC may look after the conditions of Jails, Darul-Amans, and different institutions also. She also informed the house that SHRC can summon any officers and may take suo-moto action too when find any human rights violation in any institution.



7.6.3 She briefly told the participants about the visit of Thar by the team of SHRC headed by chairperson herself on draught situation. The team not only went to visit the affected areas but also met the people, the victims of draught. The delegation also inspected the hospitals where the kids were under treatment.

The reports of SHRC, along with recommendations were sent to the Chief Minister for further actions.

7.6.4 After the talk of Justice(R) Majida Razvi, Ms. Amar Sindhu, member of SHRC also briefed the house about few cases which were being taken up by Commission and some of them were resolved accordingly.

7.6.5 The meeting was followed by answer question answers session.

Q. M. Prakash (lawyer) asked about the human rights violation of minorities which has been established as norm of society, how would SHRC can help the minorities', he further asked about the Hindu Marriage Bill.

A. Justice(R) Majida Razvi responded that the bill has thoroughly been reviewed with the consultation of lawyers and Hindu civil society organizations by NCSW and will be presented, when all the processing get complete. She further said that Constitution of Pakistan guarantees fundamental rights of all citizens including minorities. The Commission will try its best to support.

Q. Razaq Umrani (HANDS) expressed his concerns about PPO (Pakistan Protection Ordinance) and asked that Jamat-e-Islami has challenged the ordinance but Sindh Assembly remained silent over the issue, What commission would take initiatives in this regard as it is common belief that PPO is actually contradictory with basic human rights?

A. Amar Sindhu Member SHRC replied that now PPO is no more the ordinance but has been passed after legislation process and therefore it is now PPA (Pakistan Protection Act). The Commission can review it and send recommendations accordingly.



Q. Mehboob Abro (Ex. Nazim Taluka Qasimabad) asked about cases against him and claimed all cases are fake and politically motivated what SHRC would do for him?

A. Justice (R) Majida Razvi responded that SHRC would not do anything about the cases which are already running in courts.

Q. Nazir Qureshi (SWORD) talked about the general situation of health, education and women right violations and asked how much SHRC may do for general public issues.

A. Justice (R) Majida Razvi patiently heard, and replied that to address the issues of basic human rights such as health and education, these need both institutional and individual efforts to create awareness in the public to stand for their rights and support the making of institutions. She said that a good example of such formation of institution is PANAHA Shelter Home which was the demand of civil society and initiative of some individuals to make it possible for women to have shelter house.

Q. Azam Jahangeeri (JUI) asked about the IDP's coming in Sindh as the result of Zarb-e-Azab army operation in N. Waziristan, he further said there is no check & balance, no registration that who is coming and what they are bringing with them? He questioned if the SHRC is autonomous then why takes no action regarding unchecked influx of IDP's in Sindh.

A. Amar Sindhu replied that SHRC has already taken action and held the workshop, raising fundamentalism where the Law Minister Dr. Sikander Mendhro and the Adviser of culture & tourism to CM Sindh Ms Sharmila Farooqui were invited. She said that SHRC is well aware of the fact of extremism and threats to peace of the province. All the suggestions and the recommendations of the workshop including adaptation of fair process for registration of IDP's have been sent to the authorities. SHRC is seriously engaged to face all challenges of extremism in society.

Q. Faqeer Saleem (Journalist) asked what SHRC would do for the common people of Sindh.

A. Justice (R) Majida Razvi responded the question that SHRC is based on the Declaration of Human Rights and the Constitution of Pakistan both guarantees Fundamental Rights. Therefore we abide and follow both. Sindh is our Province and Commission is provincial institution so will do our best to extend all possible help.

Q. Mustafa Baloch (S.P.O) asked: SHRC is working like ministry, so how would we differentiate its work from other state institutions?

A. Justice (R) Majida Razvi replied that every ministry and institution has their own ToRs; The Commission may summon the DCO, DPO or any other official for any negligence in the prevention of violation of human rights and keep check on the government institutions too. SHRC would deal all the issues which are related to human rights.

Q. Mahesh Kumar (Senior Journalist & Editor) pointed out the flaws of constitutional rights of minorities' and showed his serious concern that the state has failed to provide the security to non Muslim minorities. He expressed that non Muslims are not even safe after their death as there are many examples that their graves were dugout and the dead bodies were dragged and thrown on roads but state and law enforcement agencies remained silent.

Q. Suleman G.Abro (head of SAFCOW) also repeated same where the citizens are living under the fear of insecurity and how can the Commission address their issues and resolve them.

A. Justice(R) Majida Razvi responded to both questions /observations that SHRC is aware of the issues and would try to review and amend or introduce new laws providing more security to the minorities' .It will send recommendations regarding the insecurity of both common citizen and the minorities.

Q. Dr. Asho Thama (HRCP) asked what the difference between HRCP and SHRC is, and would SHRC take any action on state policy?

A. Justice(R) Majida Razvi responded that SHRC is working under the ministry of Law and all its reports go directly to Chief Minister. However SHRC can review the policies under the premises of constitutional rights.

After the question-answer session, the meeting was concluded by the vote of thanks by Mustafa Baloch.

After the Press Conference the Chairperson left for Karachi but members stayed back for more interaction and discussions.

Chapter 8

Report of visit to Panah Shelter Home (21st November 2014)- The Case of Ms. Anjali

8.1 The S.H.R. Commission, after taking notice of the case of Ms. Anjali from media reports and protest demonstrations by the Hindu community by blocking the High Way and after duly consulting its members, decided to visit the Panah Shelter Home to inspect the place as well as meet her. On 20th November 2014 the Panah Shelter Home was notified by e-mail, about the intended visit of the Commission on 21st Nov. at 11am. The delegation included Chairperson, Mr. Gul Munir Shah (Member), Ms. Sharmila Farooqui MPA (Member), and other members Ms. Amar Sindhu and Ms. Rubina Brohi could not join due to their other commitments.

8.2 The Delegation reached the Panah Shelter Home at 11 A.M. and was received by the Shelter Manager and other staff, after some exchange of greetings the inspection of the premises was conducted. The members were pleasantly surprised to see the cleanliness of the place and a well managed and organized institution. There was a good security arrangement with surveillance cameras monitored by the staff. After the inspection the members were informed of the procedure of entry and other Rules followed by them.



8.2.1 Afterwards Ms. Anjali was called in to meet the delegation. She talked to the members and expressed her satisfaction about her stay and facilities provided in Panah. She admitted that she met her parents a few times who brought clothes for her. She also did not say that her husband also visited her once but he has not contacted her since then, has she had his telephone number nor had mobile phone herself.



return she went to Police station to file complaint against her parents for harassing her and
her in laws. On a question she said her friend knew about it and had advised her not to
leave and go. She said she wants to go to her husband. She was sent back in to shelter area.

8.2.2 She said she was 18 years old and married of her own choice. After her Nikah she was taken to Saeedabad along with a lawyer who took her to some office where she signed some papers then they came back and lived in Dargah. She also went to Sukkur with her mother in law, where her husband also visited her. They stayed there for three days and then returned. After her

Findings pronounced by Syed Gu Munir Shah – Member SHRC

Looking at the record in our opinion, we find that:

- She is too young to decide about her life and needs more time to think independently.
- She has given a story of about a week, while she left the house on 29th the day F.I.R was filed, and 31st Oct. when she filed complaint i.e. about three days, in which period she changed her religion and got married also. Why the story is fabricated is not comprehensible.
- She looked much better than when she was admitted in the shelter but still traumatic, confused and not very sure of herself.
- She hardly has any knowledge about alleged accepted religion.
- Her marriage is against the present law i.e. Child Marriage Restraint Act 2014. All those persons who have breached the law be apprehended and dealt as per law.

(Justice R. Majida Razvi Chairperson of the SHRC remained neutral as she is Chairperson of Panah Trust also.)

(Syed Gul Munir Shah)

Member S.H.R.C.

Karachi

Dated: 25th Nov-2014.

Chapter 9

Problems faced by SHRC and Some Recommendations

A. Problems

1. In January 2014, the Commission shifted from the Human Rights Directorate to the two rooms provided in the Sindh Secretariat (old KDA Building No.3) through courtesy of the Minister Dr. Sikander Mendhro. The commission has sent requests for additional accommodation to set up its Website and also install telephone lines to facilitate receiving of complaints from interior of Sindh, but so far no response has come.

2. The Commission is trying its best to carry on its work, but unless the Government provides adequate staff, space and funds, it cannot survive. Strenuous efforts are continuing for acquiring funds and bigger space.

3. Meanwhile, on 3rd July 2014, a letter dated 7th June 2014 was received from Finance Department of Sindh Government expressing the government's inability to provide more funds as it has already contributed Rupees 10 million in the financial year 2013-14. The Commission was advised to take necessary measures to raise funds as laid down under section 8 of the Act, i.e. from District Governments. Accordingly, a letter was written to all District Governments but so far with negative result.

B. Recommendations

Taking a holistic view of how to control the violation of human rights and achieve the Vision of the Sindh Human Rights Commission, it is recommended that all lacunas in the Constitution leading to conflict in interpretation and implementation of constitution of Pakistan 1973, particularly Articles 2-A, 41(2) and other laws, resulting in violation of human rights must be amended.

1. The country/province must have a unified judicial system.
2. To stop violation of human rights, the legal system must be strengthened and judges, prosecutors, judicial staff and police must be selected on merit only and thoroughly trained and kept free from being politicized;
3. Procedure for filing cases under Blasphemy Law must be laid down as was done in the case of Hudood laws (Section 203-A CrPC) to prevent misuse of the law.
4. Implementation of quotas pertaining to women, disabled persons and minorities must be strictly maintained and implemented.
5. The Law of Qisas and Diyat must be revisited, particularly to amend compounding of the crime and the State must be a party to criminal proceedings. All crimes are considered to be against humanity. The existing provisions are causing miscarriage of justice, resulting in violation of human rights.
6. Further, under the Qisas and Diyat law, there must be a distinction between

- inheritance and Compensation, which is missing and causes injustices to legal heirs, particularly minors.
7. Some of the Ordinances of Hudoob Laws like Prohibition (Enforcement of Had) Order 1979 must be repealed as it is redundant
 8. The Law of Qanoon-e-Shahadat Act 1984, Section 17 (2) (a) must be repealed/amended as it is in conflict with the Fundamental rights.
 9. The Citizenship Act 1951 must be reviewed and amended, giving the right of citizenship to a foreigner who marries a Pakistani woman and intends to live in Pakistan.
 10. All Madrassas must be registered under the law like schools in the country and their syllabus reviewed and teachers be monitored.
 11. All mosques' Imams/Khatibs, who are appointed by the Government must be monitored as to Friday Khutbas (addresses) and speeches, in order to control hate speeches.
 12. All schools, colleges and universities must have a Chapter on Human Rights, to create awareness, civic sense of responsibility and interactive tolerance.
 13. Electronic and print media must be used to run programmes to create awareness of human rights.
 14. All International Treaties, to which Pakistan is signatory, must be implemented in letter and spirit.
 15. Jail Manuals must be updated and brought in line with the concept of respect for human rights by providing all basic facilities in accordance with fundamental rights.
 16. Senior citizens must be covered by law and rules made thereunder.

Chapter 10

Annexures

Annexure A-i

Group A

The Sindh Protection of Human Rights Act, 2011.

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

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

THE SINDH PROTECTION OF HUMAN RIGHTS ACT, 2011.

SINDH ACT NO: XIII OF 2011

AN
ACT

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

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

Preamble.

It is hereby enacted as follows:-

PART-I
PRELIMINARY

1. (1) This Act may be called the Sindh Protection of
Human Rights
Act, 2011.

Short title,
extent and
commencement.

(2) It shall extend to the whole Province of Sindh.

(3) It shall come into force on such date as Government may, by notification in the official gazette, specify.

Definitive

2. In this Act, unless there is anything repugnant in the subject or context -

(i) "Chairperson" means the Chairperson of the Commission;

(ii) "Commission" means the Sindh Human Rights Commission constituted under section 3;

(iii) "Government" means the Government of Sindh;

(iv) "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan and enforceable by law;

(v) "member" means the member of the Commission;

(vi) "prescribed" means prescribed by rules;

(vii) "rules" means the rules made under this Act; and

(viii) "Secretary" means the Secretary of the Commission.

PART-II ESTABLISHMENT OF THE COMMISSION

Establishment of the Commission.

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

(2) The Commission shall consist of -

(i) a person who has been a Judge of High Court, was or is qualified as such, to be appointed by Government; Chairperson

(ii) two persons who have been District Members

and Sessions Judges or Additional District and Sessions Judges to be appointed by Government;

- | | |
|---|----------------------|
| (iii) four persons including two Members of Provincial Assembly to be nominated by the Speaker; | Members |
| (iv) Secretary of Commission to be appointed by Government. | Secretary/
Member |

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

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

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

(6) In case of death, resignation or removal of such Chairperson or a member, another Chairperson or as the case may be, a member may be appointed in his place for the unexpired term of such Chairperson or member.

(7) The salaries, allowances and other conditions of service of Chairperson and Members shall be such as may be prescribed; provided that neither the salary and allowances nor the other terms and conditions of service of a Chairperson or Member shall be

varied to his disadvantage after his appointment.

(8) There shall be a Secretary who shall be the Chief Executive Officer of the Commission and shall exercise such powers and discharge such functions of the Commission as it may assign to him.

(9) The Chairperson or a member may, by writing under his hand, resign from his office but his resignation shall not take effect until it is accepted by Government.

(10) No act or proceedings of the Commission shall be invalid by reason only of existence of a vacancy in, or the Constitution of the Commission.

PART-III POWERS AND FUNCTIONS OF THE COMMISSION

4. The Commission shall -

Powers and
Functions of the
Commission.

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

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

PART-IV

MEETINGS OF THE COMMISSION

5. (1) There shall be at least one meeting of the Commission in each quarter of a year.

**Meetings of
the
Commission**

(2) The meetings of the Commission shall be held at such time and at such places and in such manner as may be prescribed by rules or, until rules are made in this behalf, as and when convened by the Chairperson.

(3) Notwithstanding the provisions of sub-section (1) the Chairperson shall convene a meeting of the Commission if three or more members request him in writing and such meeting shall be

convened after giving at least seven days notice within a period of not exceeding fifteen days of receipt of such requisition.

(4) The quorum for a meeting of the Commission shall be four members.

(5) The Chairperson or, in his absence, a member elected by the members present in a meeting of the Commission shall preside at such meeting of the Commission.

(6) In the event of an equality of votes, the Chairperson or the member presiding a meeting shall have a casting vote.

6. Government may by notification remove the Chairperson or a member, if he -

Removal of
Chairperson
or member.

- (a) is incapable of discharging his responsibilities under this Act;
- (b) has been declared insolvent; or
- (c) has been declared to be disqualified for employment, or has been dismissed from the service of Government, or has been convicted for an offence involving moral turpitude; or
- (d) has knowingly acquired or has continued to hold without the permission, in writing, of Government, directly or indirectly or through a partner, any share or interest in any, contract or employment with or on behalf of the Commission or in any land or property which, to his knowledge, is likely to benefit or has benefited as a result of the operations of the Commission:

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

7. The Secretary shall be responsible for -

Powers and
Functions of
the Secretary.

- (i) all correspondence on behalf of the Commission, subject to this Act, and directions from time to time, issued by the Commission or the Chairperson;
- (ii) the maintenance and safety of the records and all other property of the Commission; and

- (iii) general supervision, control and administration of the office and staff.

PART-V
FUND, ACCOUNTS AND AUDIT

8. (1) There shall be a Fund known as the Sindh Human Rights Commission Fund. Fund.

(2) The Fund shall consist of -

- (i) grant-in-aid from Government;
- (ii) endowments, donations and contributions from public;
- (iii) contributions from District Governments and other institutions;
- (iv) sale proceeds of the publication and any bonafide income-generating means undertaken by the Commission.

- (3) (i) The Fund of the Commission shall be deposited in a scheduled Bank under such head of accounts as may be determined by the Commission.
- (ii) The account of the Fund shall be audited once in every financial year by the Director General Audit Sindh or his nominee.
- (iii) The audited annual statements of receipts and expenditure shall cover the period of the proceedings of financial year ending on 30th June and shall be submitted to the Commission by the Secretary for approval.
- (iv) In the Budget Meeting of the Commission, the Secretary shall submit the budget of the Commission for the financial year. The Commission shall approve the budget with such modifications, if any, as it may deem necessary.
- (v) A qualified auditor shall be appointed by the Commission to authenticate and audit the accounts of the Commission.

PART-VI

MISCELLANEOUS

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

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF
SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF
SINDH

Rules of Business

GOVERNMENT OF SINDH LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS DEPARTMENT

Karachi dated the 20th December, 2013.

NOTIFICATION

<p>NO. _____ :- In exercise of the powers conferred by section 12 of the Sindh Protection of Human Rights Act, 2011, the Government of Sindh are pleased to make the following rules to regulate the conduct of its business:-</p>	
<p>1. (1) These rules may be called the Sindh Human Rights Commission Rules, 2013.</p>	<p>Short title and commencement</p>
<p>(2) They shall come into force at once. 2. (1) In these rules, unless there is anything repugnant in the subject or context -</p>	<p>Definitions.</p>
<p>(a) "Act" means the Sindh Protection of Human Rights Act, 2011; (b) "agenda" means list of business to be disposed of in a meeting; (c) "business" means the business of the Commission under the Act; (d) "Chairperson" means the Chairperson of the Commission; (e) "Commission" means the Sindh Human Rights Commission constituted under section 3 of Act; (f) "committee" means a committee or sub-committee appointed by the Commission for a particular matter;</p>	

<p>(g) "Government" means the Government of Sindh;</p> <p>(h) "human rights" means the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution of the Islamic Republic of Pakistan 1973 and enforceable by law; (i) "meeting" means a meeting of the Commission; (j) "member" means a member of the Commission; (k) "Registrar" means the Registrar of the Commission; (l) "Secretary" means the Secretary of the Commission;</p>	
<p>(m) "section" means a section of the Act.</p> <p>(2) The words and expressions used but not defined in these rules shall have the same meaning as assigned to them under the Act.</p>	
<p>3. The headquarter of the Commission shall be at Karachi and the Commission may, with the previous approval of Government, establish offices at District level.</p>	<p>Headquarters.</p>
<p>4. Subject to the provisions of the Act, the Commission shall -</p>	<p>Powers and Functions of the Commission.</p>
<p>(i) sponsor, steer, encourage research to generate information, analysis and studies and maintain a database relating to human rights issues;</p> <p>(ii) develop and maintain interaction and dialogue with non-governmental organizations, experts and individuals, association in society with similar commissions and institutions in other countries for collaboration and action to achieve the maximum target to stop violation of human rights at the national, regional and international level of training standards;</p> <p>(iii) mobilize grants from domestic and international, including multi and bilateral agencies approved by Government for meeting any of its obligations or performing its functions;</p> <p>(iv) seek and receive information, data and documents from any provincial source or entity in the course of performance of its functions;</p> <p>(v) call for information or report from Provincial or District Government, civil society organization and autonomous body concerned while inquiring into complaints of violations of human</p>	

<p>rights;</p> <p>(vi) inspect or visit under intimation to Government and in accordance with the relevant laws and rules, any jail, sub-jail or other places of custody where innocent citizens are kept, detained and admitted for treatment, reformation or protection, and to see the living conditions of the inmates and to make appropriate recommendations to the authorities concerned,</p> <p>(vii) appoint advisors, consultants and experts, if necessary, with the approval of Government.</p>	
<p>5. All business of the Commission shall be disposed of in a which may be held in accordance with the provisions herein contained.</p>	<p>Transaction of meeting Business</p>
<p>6. (1) There shall be held ordinary meetings and special meetings</p> <p>(2) An ordinary meeting shall be held as often as may be necessary but at least once in three months.</p> <p>(3) A special meeting shall be convened as soon as may be on receipt of requisition in writing by at least three or more members and such meeting shall be convened after giving at least three days notice within a period of not exceeding fifteen days of receipt of such requisition.</p> <p>(4) The Secretary under the instructions of the Chairperson shall convene meetings on such date and time as fixed by the Chairperson.</p> <p>(5) A special meeting shall have priority over an ordinary meeting.</p>	<p>Meetings.</p>
<p>7. (1) Seven days clear notice shall be given for an ordinary meeting and three days clear notice for a special meeting.</p> <p>(2) The Secretary shall cause a notice with a copy of agenda to be served on the members and a copy thereof be pasted at the office of the Commission.</p> <p>(3) The notice shall inter alia specify the place, date and time of the meeting and be accompanied by an agenda</p>	<p>Notice of meeting.</p>
<p>8. (1) The agenda for a meeting shall be prepared by the Secretary with the approval of the Chairperson.</p>	<p>Agenda.</p>
<p>(2) The agenda for an ordinary meeting shall be prepared in the following order:-</p>	

<p>(a) confirmation of the minutes of the previous meeting; (b) all matters deferred in previous meeting including directions of Government, if any; (c) reports of the committee or sub-committee; (d) any other business with the permission of the Chair.</p> <p>(3) The agenda for special meeting shall be prepared in the following order:-</p> <p>(a) consideration of the matter for which the meeting has been convened;</p> <p>(b) any other business approved by the Chairperson;</p> <p>(4) Subject to the availability and the orders of the Chairperson, the members shall be provided copies of documents or information relating to the matters on agenda.</p>	
<p>9. No meeting may be adjourned until the agenda thereof is disposed of or a resolution of adjournment is passed or the Chairperson for any reason to be recorded in writing.</p>	<p>Adjournment of Meeting</p>
<p>10. The business shall be considered in the order prepared under rule 8 but the Chairperson on its own or on the motion of at least three members may change the order.</p>	<p>Consideration of business.</p>
<p>11. (1) The Chairperson shall be the Chief Executive of the Commission and also shall act as Principal Accounting Officer and shall have inter-alia following functions and powers:-</p>	<p>Powers and Functions of the Chairperson</p>
<p>(i) to coordinate, supervise and manage the work of the Commission and exercise general supervision and control the affairs of the Commission;</p> <p>(ii) to preside over every meeting of the Commission and in his or her absence, by the member elected by the members present in the meeting from amongst themselves and the person so elected shall exercise all the powers of the Chairperson under these rules during a meeting;</p> <p>(iii) to interact closely with all Ministries and Departments at Federal and Provincial level with regard to the affairs of the Commission;</p> <p>(iv) to delegate by general or special order, the powers and functions of the Chairperson to any member, officer or Secretary of the Commission.</p>	
<p>12. The Members of the Commission shall have following powers and</p>	<p>Functions of the</p>

functions:-	Members.
<p>(i) to assist the Chairperson to coordinate and support the work of Commission;</p> <p>(ii) to assist the Commission in its mandate and functions particularly in the planning, implementation, monitoring and networking roles with all stakeholders including Government, civil society and the international community;</p> <p>(iii) to liaise with members of other similar Commissions, Provincial Secretariat and regional offices;</p>	
<p>(iv) to perform such other duties and functions as may be assigned by the Chairperson.</p>	
<p>13. Subject to the provisions of the Act, the Secretary shall have the following powers and functions :-</p>	<p>Functions of the Secretary of the Commission.</p>
<p>(i) to prepare, under the directions of the Commission or Chairperson, three years strategic plan, annual work plan and annual budget for the approval of the Commission and forward to the concerned authority;</p> <p>(ii) to carry out administrative orders and decisions of the Commission;</p> <p>(iii) to perform such other duties and functions as may be assigned to him by the Commission or Chairperson</p>	
<p>14. The Commission may co-opt any person expert or advisor to attend a meeting, if need be, but he shall not be entitled to vote.</p>	<p>Commission to co-opt expert or advisor.</p>
<p>15. (1) The quorum for a meeting of the Commission shall be four members</p>	<p>Quorum</p>
<p>(2) A meeting shall be adjourned for want of a quorum but no quorum shall be necessary at a meeting held after the meeting which was adjourned for want of quorum.</p> <p>(3) The members shall inform in writing to the Chairperson in advance with regard to their absence from Commission's meetings.</p> <p>(4) Any member of the Commission who is absent from the Commission's three consecutive meetings without giving cogent reasons shall be issued notice and his absence would be reported to</p>	

Government for action.

16. (1) All matters in the agenda shall be decided by the majority of votes of the members present in the meeting.

Decision

(2) The voting shall be by show of hands.

(3) The result of the voting shall be declared after the voting by the Chairperson and such declaration shall be final and conclusive.

(4) In the case of an equality of votes, the Chairperson or member presiding a meeting shall have a casting vote.

17. (1) Minutes of the proceedings of each meeting shall be drawn up by the Secretary.

Minutes of the Proceedings.

(2) The minutes shall comprise of, the names of members present at the meeting and the number of items brief notes and decisions taken.

(3) The minutes shall be submitted to the Chairperson for approval and signed by the Chairperson or the Presiding Member and circulated amongst the members within two weeks after the meeting.

(4) A copy of the minutes of the proceedings of each meeting duly confirmed shall be recorded in a minutes book maintained for the purpose.

18. (1) The Commission may appoint such number of committees and sub-committees as may appear to it, to be necessary for technical and other advice on matters referred to it, such as -

Appointment of Committees and Sub-committees.

(a) experts on human rights; (b) liaising and networking between Commission, Government Departments and stakeholders; (c) budget and finance.

(2) The business of every committee and sub-committee shall be conducted in such manner as it may decide.

(3) Every committee or sub-committee shall be headed by one of the Members appointed by the Chairperson.

(4) The Member, so appointed shall preside the meeting of the committee.

(5) The proceedings or report of the committee or sub-committee shall be submitted to the Chairperson as early as possible for placing

<p>it before the Commission.</p> <p>(6) Any member who is absent from three consecutive meetings of the Committee and Sub-Committee without showing sufficient cause, he or she shall cease to be a member of the Committee and in his or her place another member shall be appointed.</p>	
<p>19. (1) All correspondence of the Commission with Government or any authority or person shall be conducted by the Chairperson through Secretary.</p>	<p>Correspondence to be conducted by the Chairperson through Secretary.</p>
<p>(2) The Secretary shall be responsible for day to day affairs of the Commission and shall perform such functions as may be assigned to him by the Commission or Chairperson</p>	
<p>20. The members of the committee or sub-committee shall be honorary members and shall not be paid any remuneration except the expenditures which may include travelling, boarding and lodging costs, their rates may be determined by the Commission.</p>	<p>Remuneration for committee or sub-committee.</p>
<p>21. (1) All petitions, applications, emails, faxes, suo-moto notice or telephonic information addressed or communicated made to the Commission, its Chairperson, members or Secretary either by name or designation shall be entertained and registered by the Commission in the register meant for the purpose.</p>	<p>Petitions, applications and other communications.</p>
<p>(2) A register shall be maintained by the Commission for entering in, serial wise, the petition, application, communication and suo-moto notice and shall be placed before the Chairperson or Members for preliminary consideration, as expeditiously as possible but not later than three days from the date of its receipt:</p> <p>Provided that the petition, application, communication or suo-moto notice which requires urgent consideration shall be placed before the Chairperson as for as possible within twenty four hours of its receipt.</p> <p>(3) No fee shall be chargeable on such petitions, applications, or other communications.</p> <p>(4) The petition, application or other communication shall disclose the facts leading to the violation of human rights.</p> <p>(5) The Chairperson or Members may issue notice to victim, applicant or petitioner for personal hearing or to any other person who in the opinion of the Chairperson or Members should be heard for</p>	

appropriate disposal of the matter. (6) The Commission may seek further information or affidavit as may be considered necessary.

(7) The Commission upon consideration of the report and personal hearing of applicant, petitioner and victim shall call comments from the concerned authority, institution or department and thereafter recommend the Government remedial measures including action to be taken against the person involved in the violation of human rights.

22. The Commission may dismiss in-limine the petition, application or other communication of the following nature:-

Dismissal of petition, application or other communication

(i) illegal

(ii) vague, anonymous, pseudonymous;

(iii) allegations do not make out any specific violation of human rights;

(iv) matter is sub-judice before court or tribunal;

(v) the matter is outside the purview of the Commission on any other grounds.

23. (1) Each member shall be assisted by the Registrar or any officer authorized in this behalf, when member takes up for consideration the case assigned to him or her for final disposal. It shall be the duty of the Registrar or authorized officer to study and present the cases and render such other assistance as may be required for consideration and disposal of the cases.

Disposal of other petitions, applications and suo-moto actions.

(2) If on consideration of the petition or application, the Commission dismisses the petition or application in-limine, the said order shall be communicated to the petitioner or applicant and the case shall be treated as closed.

(3) If on consideration of the petition, application, other communication or suo-moto notice, the Commission admits and directs issuance of notice to any authority calling upon it to furnish information or report or comments, a notice shall be issued enclosing copy of the application, petition or other communication and notice shall be signed by the Registrar.

(4) On receipt of the information or report or comments called for, a detailed note in the form of a synopsis shall be prepared or caused to

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

MIR MUHAMMAD SHAIKH

LAW SECRETARY

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

A copy is forwarded for information to:-

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

(BASHIR AHMED MEMON)

DEPUTY SECRETARY (REGULATION)

FOR SECRETARY TO GOVERNMENT OF SINDH

LAW DEPARTMENT.

**Profiles of Chairperson and Members of the
Sindh Human Rights Commission**

Chairperson
CURRICULUM VITAE



SHORT C.V.

JUSTICE (R) MAJIDA RAZVI

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

Judicial Positions Held

- Holding a unique position of being the first woman Judge of a High Court of Pakistan.
- Elevated to the position of Judge, at the Sindh High Court Bench in 1994.
- Retired in 1999.
- Practicing Advocate, 1963-1994 as a Corporate lawyer
- Judicial & Administrative Work Experience
- As a Judge, presided over Single & DB numerous cases, providing justice in the form of landmark judgments.
- As an advocate, deliberated on hundreds of cases on the civil side.
- Provided free legal advice to the needy people, through various social work organizations and convincingly got justice for them.
- Former Chairperson of the National Commission on the status of women, from March 2002 to March 2005.
- A prolific writer - Author of hundreds of Article on Legal Issues pertaining to Women & Children.
- Participation at International Fora/Conferences:
- Attended National and International conferences since 1964 to date.
- Member of Common Wealth Team to monitor Elections in Tanzania in 2005.
- Nominated for Nobel Peace Prize in 2005. D Addresses on National & International Issues of Particularly Human & Women Rights through print & electronic media.
- Practicing at Supreme Court of Pakistan.

Awards:

- Women of the year Award 1994-95 >
- Pakistan Golden Jubilee Celebration Award for Services in Judiciary 1997 D 100
Heroin Award (International) for Social Work.
- "Allah" Award 2003 (outstanding women)
- Karachi Cosmopolitan Rotary Award for outstanding for services 1992-93.
- PAK EXPO (NEW) outstanding performance in the field of jurisprudence 1990.
- Lions Club Merits Award 1991.
- Women Excellence Award 2006.
- Human Rights Society of Pakistan Award 2007 (January 2007).
- Women Achievers Award 2007 from I Plus (28-02-2007).
- Rotary International Award of Service above Self 2012
- Human Rights Defender Award from Govt. of Pakistan 2012.
- At Present
- Member of Board of Governors Marie-Adelaide Leprosy Centre.
- Trustee Panah Trust - Karachi.
- Member Board of Governors SZABIST And others

Member SHRC
CURRICULUM VITAE

SYED GUL MUNEER SHAH

H.NO B-18 Gulshan-e- Bakhtawer Phase-II
Nasimnagar, Qasimabad, Hyderabad
Cell No 0300-2819248



CAREER OBJECTIVES

Wishing to join/work where the supreme focus be put on development work and where my capabilities and knowledge be utilized

PERSONAL DETAILS

Name : Syed Gul Munir Shah
Father Name: Syed khair Muhammad Shah
Date of Birth: 01-03-1951
Country: Pakistan
Ethnic Origin: Sindhi (Pakistan)
Religion: Islam
Marital Status: Married
CNIC: 41305-19093621-1
Domicile: Hyderabad(Rural) New District Matiari
Per :Address: Village Wahab Shah, Taluka & District Matiari

EXPERIENCE

- ❖ Appointed as Civil Judge 1982
- ❖ Promoted as senior Civil Judge in 1986
- ❖ Promoted as Additional Session Judge in 1994
- ❖ Served/worked as Registrar STA Court (Home Department) from 1994 to 1997
- ❖ Posted/ Served as Additional Session Judge at Larkana, Nawabshah, and Hyderabad.
- ❖ Sharia Training from August 2002 to December 2002.
- ❖ Posted as Registrar Federal Service Tribunal Islamabad from Dec 2002 to February 2005.
- ❖ Promoted as District & Session Judge In 2005
- ❖ Posted as District & Session Judge at District Mithi and Qamber @ Shandadkot.
- ❖ Worked as Additional Law secretary ,Law department and special Judge anti — Corruption (Provincial) Karachi for three years.
- ❖ Lastly posted as Member Judicial, Custom appellate Tribunal No.1 Karachi, till retirement on 28-02-2011.

Member SHRC
CURRICULUM VITAE



Salma Baloch (Amar Sindhu)

Human Rights Activist, Political Analyst, Writer; working as Assistant Professor in Department of Philosophy, University of Sindh Jamshoro.

Contact: 03003033095

amarsindu@yahoo.com

ADDRESS:

14-4-B Unit # III

Satellite Town Mirpurkhas,
Sindh.

PROFESSIONAL DESIGNATION

Incharge Chairperson,
Department of Philosophy
University of Sindh.

BOOKS PUBLISHED:

1. Jagti Ankhoon ke Sapne (Poetry)
2. The Concept of Empowerment of Women in Sindhi Literature

BOOKS UNDER-PUBLICATION:

- One book on articles, Published in Newspapers.
- One book on articles about Women's Issue.
- One book on Profiles of writers and artists.

Member SHRC
CURRICUUM VITAE

KULSOOM CHANDIO

Bath Island, Bachelor's Hostel, suit No.4, Karachi

Cell: +923002808818

E-mail: kulsoomchandio@gmail.com



PERSONAL INFORMATION

- > Father Name: ALLAH BUX
- > Date of Birth: 10th March, 1965
- > CNIC #: 41201-0286985-2
- > Domicile: DADU
- > Marital Status: MARRIED
- > Religion: ISLAM

EDUCATIONAL QUALIFICATION

- > M.A. (Economics) + L.L.B

EXPERIENCE

- > Member Sindh Bar Council.
- > Social Worker
- > Politician since 40-45 years.
- > Presently serving as a Member of Provincial Assembly of Sindh since last seven years.

Member SHRC

CURRICUUM VITAE

Rubina Brohi

M.A, LL.B, LL.M

Advocate High Court

Member, Sindh Human Right Commission

Program Officer –CBU-GEP-USAID, Aurat Foundation

Former, Legal Consultant, National Accountability Bureau (NAB)



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

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

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

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

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

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

"I truly internalize the importance of the struggle for human rights and access to justice in Pakistan. I feel more persistent efforts are needed at the policy-making and legislation levels for the betterment of the oppressed and vulnerable segments of the society; and Sindh Human Rights Commission has provided me with yet another platform to pursue my aim for helping build a peaceful and just society."

A Note on International Human Rights Movement

The International Human Rights Movement was strengthened when the United Nations General Assembly adopted the Universal Declaration of Human Rights (UDHR) on 10 December 1948. Drafted as '*a common standard of achievement for all peoples and nations*', the Declaration for the first time in human history, outlined basic civil, political, economic, social and cultural rights that all human beings should enjoy.

The UDHR, together with the International Covenant on Civil and Political Rights (ICCPR) and its two Optional Protocols, and the International Covenant on Economic, Social and Cultural Rights (ICESCR), form the **International Bill of Human Rights (IBHR)**.

There are eight core international human rights treaties which address a wide range of economic, social and cultural rights, civil and political rights, the elimination of racial and gender discrimination, protection against torture and forced disappearance and the rights of women, children, migrants and persons with disabilities.

The human rights treaty system has expanded enormously over the past few decades in terms of acceptance and ratification of international human rights treaties by States. Acceptance of the treaties confers concomitant legal duties upon state actors, to protect against, prevent, and remedy human rights violations. The treaty system establishes definitive validity of international supervision and accountability on the implementation of these treaties at the domestic level, with treaty standards serving as the benchmark for assessment.

Annexure B-II

**International Conventions/Treaties/Protocols
on Human Rights acceded to/signed by Pakistan**

<u>Title</u>	<u>Date acceded/signed/ratified</u>
1 International Convention on the Elimination of All Forms of Racial Discrimination	30.05.1972
2 International Covenant on Economic, Social and Cultural Rights	12.12.1973
3 Optional Protocol to the International Covenant on Civil and Political Rights	12.12.1973
4 International Covenant on Civil and Political Rights	12.12.1973
5 Convention on the Elimination of All Forms of Discrimination against Women	09-07-1984
6 Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women	11.11.2001
7 Convention against Torture and Other Cruel, Inhuman or Degrading treatment or Punishment	09.12.1992
8 Optional Protocol to the Convention against torture and other cruel, inhuman or degrading treatment or punishment	14.06.2005

Annexure B-III

Core International Human Rights Treaties & Optional Protocols

	Title	Date of Adoption
1	International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	21 December 1965
2	International Covenant on Civil and Political Rights (ICCPR)	16 December 1966
3	International Covenant on Economic, Social and Cultural Rights (ICESCR)	16 December 1966
4	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	18 December 1979
5	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	10 December 1984
6	Convention on the Rights of the Child (CRC)	20 November 1989
7	Convention on the Rights of Persons with Disabilities (CRPD)	13 December 2006
8	International Convention for the Protection of All Persons from Enforced Disappearance (ICPAPED)	20 December 2006

Optional Protocols

Often, human rights treaties are followed by "Optional Protocols" which may either provide for procedures with regard to the principal treaty or address a substantive area related to the treaty. Optional Protocols to human rights treaties are treaties in their own right, and are open to signature, accession or ratification by countries who are party to the main treaty.

An Optional Protocol to a United Nations treaty thus, is an additional document added to an existing treaty, sometimes years after the treaty has come into force. An optional protocol can include more details about matters that are in the original treaty or it can deal with issues that have come up since the treaty was written. The optional protocol can add rights and obligations that were not in the original treaty and/or provide for procedures related to the principal treaty.

Treaty Bodies

Each of the core international human rights treaties has a monitoring body within the UN human rights system which monitors the implementation of the treaty provisions by its States parties. A United Nations Treaty Body is a group of specialists or experts that is setup/established to monitor the implementation of an international treaty by its states parties. Most treaty bodies also consider individual complaints, where a state party has recognized the competence of the committee to do so.

Treaty Obligations of States

In addition to its obligation to implement the substantive provisions of the treaties to which it is a party, each State party is required to submit regular reports on how it has implemented a treaty's provisions. The relevant human rights treaty body considers these reports in the presence of a delegation of the State party and in the light of all information, including further written information provided by the State party. The committees also receive information from United Nations agencies, National Human Rights Institutions (NHRIs) and civil society actors, in particular non-governmental organizations (NGOs), professional associations and academic institutions.

All of the treaty bodies are empowered to consider initial and periodic reports of states parties on how they are implementing the provisions of the treaty. The reports that state parties are obliged to submit provide information about legislative and practical measures taken to implement the treaty. The reports are considered through a public dialogue between representatives of the government concerned and members of the treaty body. The treaty body experts enquire on a series of issues of particular concern and on violations under the treaty to which the concerned government must respond. The treaty body then formulates its concluding observations to the government as a collective assessment of the report, listing positive aspects as well as factors and difficulties.

International human rights law lays down obligations which States are bound to respect. By becoming parties to international treaties, States assume obligations and duties under international law to respect, protect and promote human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to promote means that States must take positive action to facilitate the enjoyment of basic human rights.

Through the ratification of international human rights treaties, Governments undertake to put into place domestic measures and legislation compatible with their treaty obligations and duties. Where domestic legal proceedings fail to address human rights abuses, mechanisms and procedures for individual complaints or communications are available at the regional and international levels to ensure that international human rights standards are respected, implemented, and enforced at the domestic level.

THE END