



Sindh Human Rights Commission

Government of Sindh

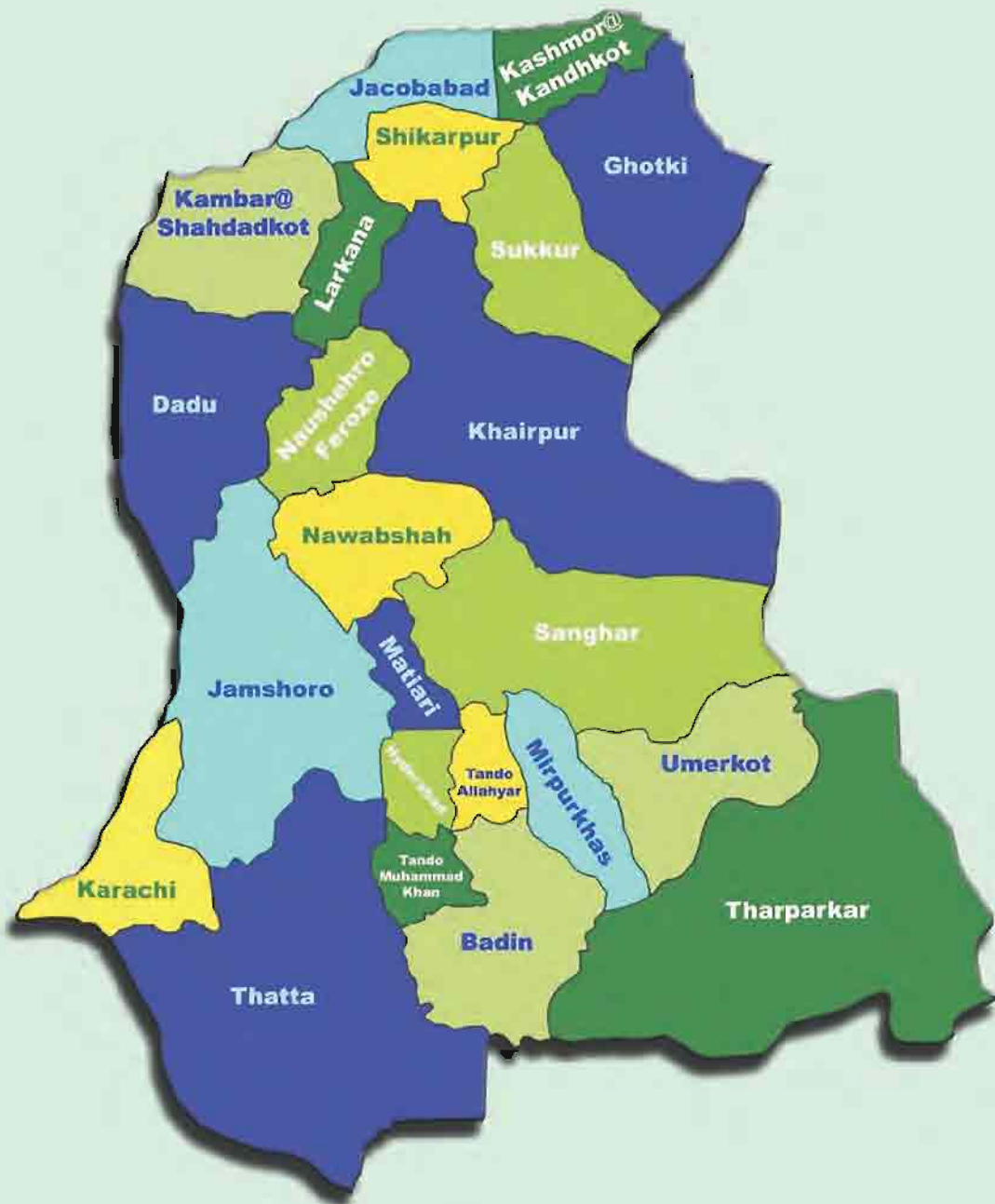




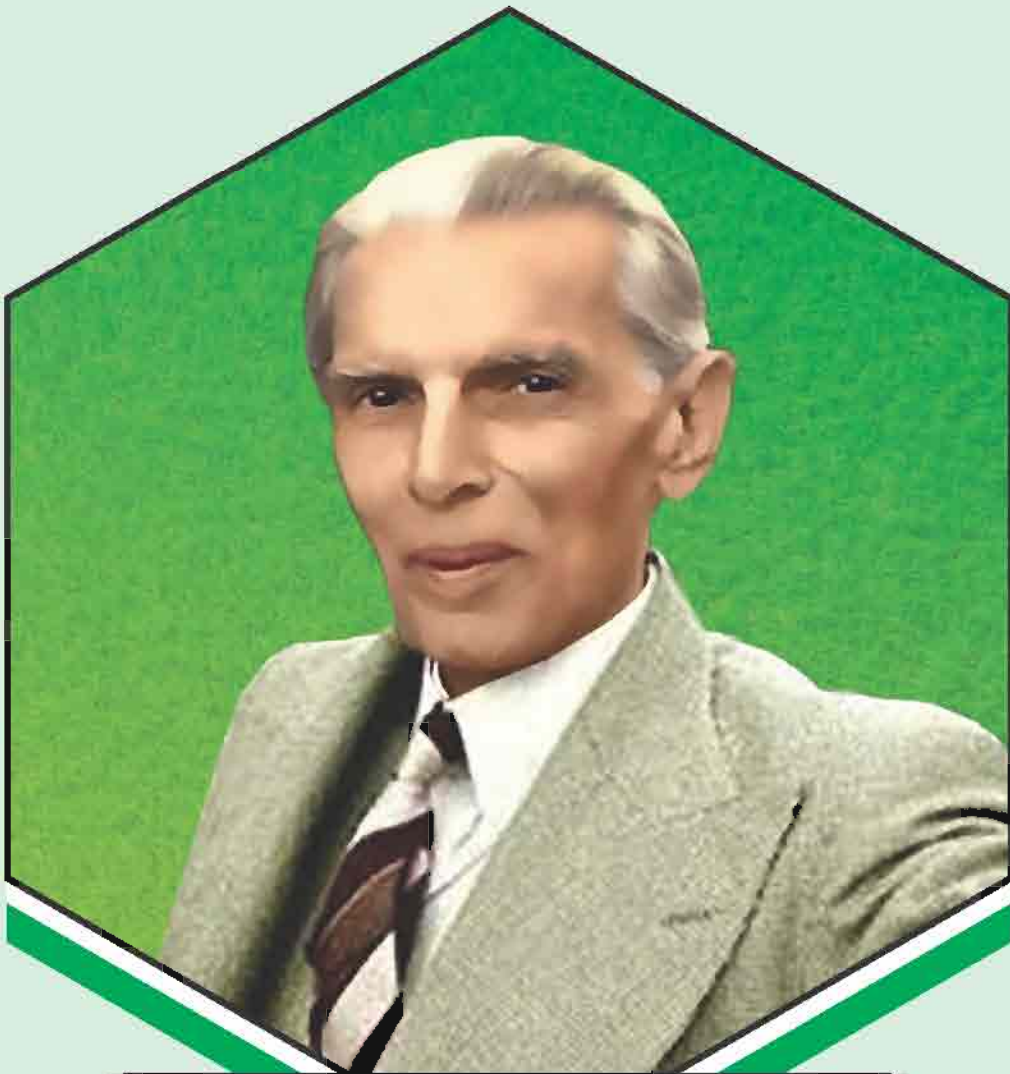
Sindh Human Rights Commission



Government of Sindh



FOUNDER OF NATION



Muhammad Ali Jinnah

“With faith, discipline and selfless devotion to duty, there is nothing worthwhile that you cannot achieve.”



Syed Murad Ali Shah
Chief Minister Sindh



Justice (Retd) Majida Razvi
Chairperson Sindh Human Rights Commission

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ABBREVIATIONS

ASI	Additional Sub-Inspector
CPO	Central Police Office
DC	Deputy Commissioner
DIG	Deputy Inspector General of Police
IG	Inspector General of Police
MD	Managing Director
PS	Police Station
RO	Plant Reverse Osmosis Plant
SHRC	Sindh Human Rights Commission
SSP	Senior Superintendent Police
UN	United Nations

Messages

Syed Murad Ali Shah
Chief Minister Sindh

Sindh Human Rights Commission is an extension of the Provincial Government's commitment to human rights. Its mandate and effective functioning is critical to ensuring that the citizens of the province have access to a mechanism that protects them when their rights are at risk, whether that is due to the actions of an individual or community or any gaps in the government systems.

The Commission's establishment, independence and our dedicated support to the institution is a reflection of our government's pro-people and democratic credentials. The Sindh Government, guided by the political mandate entrusted by the people of the province, has the credit of enacting maximum number of rights-based legislation. These touch all aspects of the lives of the various sections of the society be they women, children, workers, or persons affected by disability and others.

In coming years, we would like the Commission to work more proactively in implementation of rights legislation as well as policy reforms. The Government of Sindh is committed to empowering and supporting the Commission, to enable it to work more effectively.

Messages**Barrister Murtaza Wahab**

**Adviser to Chief Minister Sindh on Law, Environment,
Climate Change & Coastal Development**

The Sindh Government and Provincial Assembly's relentless drive on rights-based legislation and reforms is motivated by the desire to enable a rights-oriented environment for the citizens of the province. However, no number of laws or reforms can benefit citizens without a comprehensive set of institutional measures that could translate rights-based legislation and policies into action.

The Sindh Government's move to establish such accessible institutions that cover human rights and related aspects is a step in this direction. In this regard, SHRC, being the only independent Provincial Commission on human rights, is an important institution. The Commission represents our Government's aspirations for an institutional framework for rights intervention at the individual level, as well as on broader-level through the powers of recommendations, guidelines, research and follow ups on the implementation of international treaties.

The Commission's mandate and powers, and the intellectual capacities and expertise of its leadership and human resource enables it to make a powerful impact on all levels of citizenship.

In coming days, we want to make better use of the range of institutions set up by the Sindh Government by building a more responsive and interactive coordination mechanism between departments, with citizens at the centre of all such efforts.

We congratulate the SHRC and their members for their consistent journey in the last six years in undertaking multi-pronged efforts to provide relief to the victims of rights violations and engaging stakeholders at legislative and policy level to address rights gaps. The Sindh Government shall continue to draw from the Commission's recommendations to deliver better services and promote a pro-rights environment for the Province's population.

Messages**Mr Mumtaz Ali Shah****Chief Secretary Sindh**

An effective administration and management structure rests on the fundamentals of a system that adheres to the principles of rights, transparency and accountability. As provincial administration, it is important to us that the population of the province has access to essential services that are functional and supported by responsive and accountable mechanisms.

SHRC's work on cases' inquiry, policy and legislation review, and recommendations on effective implementation of international treaties is critical in advancing the Sindh Province's goals on compliance to human rights provisions enshrined in the constitution and treaties ratified by Pakistan. In the coming years, SHRC can direct its energies towards expanding and deepening its roots across all regions in Sindh. In addition, there is immense scope for creating spaces and systems that can truly respond to the developmental aspirations of the people of the Province. We see the Commission playing a role here and bringing a human rights lens to such efforts.

Messages

Justice (Retd) Majida Razvi
Chairperson Sindh Human Rights Commission

The Sindh Human Rights Commission completes its six years as a dedicated arm of the Provincial Government of Sindh for human rights protection and promotion. The Commission's growth in all these years is reflected in its expanding capacity, growing number of human rights violations petitions, successive collaborations to engage stakeholders on human rights, and multi-stakeholders dialogue on advancing discourse on rights.

Human rights challenges in Sindh are manifold. They are reflected in violence, conflicts, poverty, labour rights deficits, vulnerabilities for rural and urban women, and inadequate access to political and economic rights, and development opportunities such as education, health and livelihood. Safety and security for religious minorities is also coming up as a challenge for the province. The inquiries into complaints and suo moto notices filed with the Commission deal with all these issues. Together, they stress the importance of workable systems of service delivery, public outreach, access and communication, transparency and recourse to law and justice for common citizens.

The Sindh Government's support in investing in the Commission's capacity is a reflection of its commitment to realise human rights in the day to day lives of the citizens of the Province. The Commission's functioning, inquiries and decisions are independent and there is no interference by the Provincial Government in any manner. This allows us to undertake our operations, follow ups and make recommendations autonomously. We have reached out to a number of government departments for collaboration to address rights violations; and they have all been responsive and supportive.

At the same time, the Commission realises that much more needs to be done in terms of facilitating rights abuse victims to access recourse. We are therefore, more dedicatedly drawing from our powers and mandate to work at multiple levels. This includes reviewing our inquiry system, leading and participating in legislation and policy reviews, collaborating with the non-governmental sector and police, and interventions on international treaties.

Our mandate allows us vast space to expand human rights work in the province. However, as we try to step forward, we also make an effort to optimize the use of resources provided by the Provincial Government to carry out our work.

To run the Commission as a proactive and responsive institution, the Commission has, in the past years, undertaken a range of efforts. These include a Strategic Plan developed through a consultative

Continued on next page

Messages

Justice (Retd) Majida Razvi
Chairperson Sindh Human Rights Commission

process, identifying priority human rights issues, and strategic collaborations that could advance the Commission's mandate on human rights protection and promotion. Moreover, this year, SHRC has also rolled out Special Committees mandated by the Commission's Rules of Business to undertake focused work on specific areas of human rights. We have started out with three committees, which will look into human rights, gender based violence and minorities' rights. These committees, drawn from experts, have representation from major districts of Sindh. As a forum, they have the important task to advise and assist the Commission in its actions and interventions on human rights.

In terms of field presence, the Commission is keen to expand its footprints in all areas of Sindh. Up until now, the Commission was being ably assisted by focal persons and volunteers drawn from all districts of the Province to identify rights violations and conduct initial assessment of the situation. However, a set of divisional offices and later district offices, with dedicated staff and a responsive system of services will add tremendous value to the Commission's work to assist in addressing citizens' rights violations issues at their doorsteps.

Human rights protection and promotion has to be a continuous journey. A realistic assessment of challenges and sincere multi-stakeholders' partnership is instrumental in addressing structural, institutional and legal deficits that prevent sections of province's population from enjoying a secure life. The Commission is committed to expanding the power entrusted in its office to ensure that the Sindh Government's vision for a rights compliant environment is realised.

Messages

Syed Hassan Shah Bukhari
District and Sessions Judge (Retd)
Member Judicial-I Sindh Human Rights Commission

The Sindh Human Rights Commission is the human rights think tank of the provincial government. Our mandate empowers us to work at the community, institutional and structural levels to promote and protect human rights, by way of our vast mandate, particularly our functions of inquiry into cases of rights violations.

The cases undertaken by the Commission have the potential for real impact on the day to day lives of vulnerable citizens. The Commission's current structure of cases inquiry focuses on fast action and follow up. However, as the number of cases registered with the Commission grow, there is realization that we need to make an extra effort to facilitate victims in accessing the Commission's offices.

While the Commission continues with its mandate, a concerted media campaign, directed towards public awareness across the Province regarding protection of human rights, can play an important role in addressing rights violations.

One of our key lessons has been the impact our work can have by our presence at the grassroots. We have several examples of prompt action by the authorities as a result of our on-the-spot inquiries. A dedicated follow up can likewise, push for response as well as pave the way for policy change to address any particular deficit in the province's existing rights and social service delivery system. This is the essence of our mandate: to protect the human rights of citizens of the province at an individual level.

Messages

Muhammad Aslam Shaikh
Additional District and Sessions Judge (Retd)
Member Judicial-II Sindh Human Rights Commission

The Sindh Human Rights Commission (SHRC) is the creation of the Sindh Protection of Human Rights Act 2011. It was established under the notification of the Government in 2013.

The Commission's mandate is to ensure the protection of human rights in the province of Sindh, particularly human rights issues relating to life, liberty, equality and dignity of the people, as guaranteed by the 1973 Constitution of our country, Pakistan.

SHRC, as per its domain, power and functions, conducts inquiries, through suo moto or on a petition presented by a victim or any person on his behalf, pertaining to the violation of human rights or abetment and negligence in prevention of such violation by a public servant. The Commission directly recommends the Government regarding remedial measures and suggestions for action against violators.

SHRC is consistently working on its mandate and undertakes all efforts to provide remedy to the victims of rights violations. The Commission has also reviewed the policies, researched on issues of human rights and undertaken programmes for capacity building of the public and Government officials, particularly the police, section officers at the Secretariat level and state prosecutors.

This year, the Commission has conducted seminars, especially on irrigation and drinking water issues, misuse of fertilisers and pesticides and health issues, with recommendations to the Government to address the issues of impact on health of common citizens. We would like to make access to quality healthcare, education, and implementation of laws on child marriage, protection of religious minorities, and labour issues as key focus of our work in coming years.

The Commission's work is being appreciated by the public with the result that the reporting of human rights violations matters is increasing with fruitful results of disposal.

Quotations

**Part
1**

**ABOUT
SHRC**

INTRODUCTION

The Sindh Human Rights Commission is a statutory body with a mandate to protect fundamental human rights in the province of Sindh, as enshrined in the Constitution of the Islamic Republic of Pakistan.

The Commission is empowered to hold inquiry, suo moto or on a petition, into cases of human rights violations, recommend to the Provincial Government remedial measures, review policies and legislation on human rights protection from the perspective of human rights, undertake research and promote awareness of laws, procedures and safeguards available for human rights protection. The Commission is also mandated to visit government facilities and institutions (i.e. jails, shelters) to review living conditions of inmates and make recommendations for improvements.

Established in 2013 under the Sindh Protection of Human Rights Act 2011, the Commission functions under the Sindh Human Rights Commission Rules 2013.

The Commission is led by a Chairperson and supported by six members. The qualification of the Chairperson, as stated in the Sindh Human Rights Protection Act 2011, is that of a retired judge of High Court. Out of six members, two are full-time members qualified as District and Sessions Court judges. Two members come from the Provincial Assembly and two are drawn from the civil society. As per law, the Chairperson's and members' terms span three years. The current Chairperson SHRC, Justice (Retd) Majida Razvi, is serving her second term as the Commission's head.

The Commission is supported by a Secretary (overall in charge of office matters), Public Relations/ Communications Officer, Superintendent cases, Administration in Charge, Accounts Officer and office assistants and clerks.

The Commission receives Grant-in-Aid from the Government of Sindh. This is a non-regular (non-annual) system of disbursement that has so far mainly supported the salaries of the Commission's Chairperson and the members, and the running of the office.

As an independent body delegated to work for the protection and promotion of human rights in the province, the Commission extends its services indiscriminately to all individuals reaching out for petitions. Similar approach is adopted for suo moto notices. The recommendations made for cases, assessment of government facilities, and review of rights-based legislation and policies are completely autonomous. The Commission's Rules of Business provide guidance on the process for undertaking the Commission's functions.

Since its establishment, the Commission has undertaken 877 cases. It has led review of laws on gender-based violence, the Sindh Protection of Human Rights Act 2011 (the Commission's own law) for an empowered structure, and developed a consultative-based Strategic Plan to guide the Commission's actions and five-year direction. Moreover, the Commission has participated in legislation and implementation reviews undertaken by other governmental and non-governmental organisations, led and participated in capacity building initiatives, particularly that of the police, lawyers and activists (these actors are usually the first point of contact for the victims of rights violations), and also led the process of review of mechanisms for implementation of the conventions related to the trade incentive of GSP+, extended to Pakistan.

As per law, the Commission conducts board meetings every quarter. It also develops an annual workplan drawn from the Strategic Plan to calendar-schedule activities, including visits and events led by the Commission. SHRC takes out annual report every year to share its activities and future plans with stakeholders and general public.

SINDH HUMAN RIGHTS COMMISSION MEMBERS



Justice (Retd) Majida Razvi
Chairperson, Sindh Human Rights Commission



Ms. Abida Lodhi
Secretary, Sindh Human Rights Commission



Syed Hassan Shah Bukhari
District & Sessions Judge (Retd)
Member Judicial-I, Sindh Human Rights Commission



Muhammad Aslam Shaikh
Additional District & Sessions Judge (Retd)
Member Judicial-II, Sindh Human Rights Commission



Ms. Kulsoom Akhtar Chandio
Member Provincial Assembly,
Member, Sindh Human Rights Commission

SINDH HUMAN RIGHTS COMMISSION MEMBERS

Ms. Farhat Seemi Soomro

Member Provincial Assembly,
Member, Sindh Human Rights Commission



Ms. Rubina Aman Brohi

Advocate High Court
Member, Sindh Human Rights Commission

Ms. Shamshad Kanwal

Social Worker (Hyderabad)
Member, Sindh Human Rights Commission



SHRC SPECIAL COMMITTEES

Under the Rules of Business of the Sindh Protection of Human Rights Act 2011, the Sindh Human Rights Commission is mandated to establish committees and sub-committees, broadly as an advisory arm of the Commission and to extend assistance to implement the mandate of the Commission.

The objective of the Committees is to provide the Commission with clear guidelines and direction on reducing/eliminating violations of human rights, especially against vulnerable segments of the society through actions and interventions at the policy, legal, economic and political levels.

The Commission has established three committees under this mandate. These include:

1. Committee on Human Rights
2. Committee on Minorities Rights
3. Committee on Gender Based Violence

The Committees enlist members drawn from experts with a strong background in related areas. List of members of all three committees has been given in the box.

An Advisory Committee comprising senior judicial experts, civil society and human rights leaders has also been formed. The role of the Advisory Committee is to provide strategic guidance to the Commission on identifying, approaching and addressing human rights challenges in the Province.

Scope of work of the Committees:

- ◆ Review (independently or in collaboration with other relevant actors) of existing laws on human rights, violence against women and minorities;
- ◆ Monitor institutional mechanisms that hinder effective implementation of existing laws and policies. Moreover, the committees also have a role in reviewing progress on Sindh Province's work on the implementation of international conventions ratified by Pakistan;
- ◆ Propose amendments and repeal in legislation, where applicable. In addition, assist in ensuring implementation of positive legislation;
- ◆ Undertake fact-finding mission and visits when needed;
- ◆ Lead advocacy, linkage building and collaboration with civil society groups, media, government ministries and departments, academia and other relevant institutions and communities for sensitisation, monitoring, identification, discourse and actions on the prevention of rights violation;
- ◆ Assist the Commission with development of research, documentation and resource-base to identify and sponsor studies in consultation with public and private sector organizations, where gaps exist in data related to human rights issues.

The Committees are required to work under the scope provided by the Sindh Protection of Human Rights Act, 2011, regulating the Sindh Human Rights Commission. The Committees are required to

hold regular meetings, at least once every two months, and more frequently if needed. The TORs also stress ensuring a broadly consultative and participatory process, particularly with civil society organizations and relevant Government departments, in the carrying out of the Committees' functions.

The Committees were officially notified on August 10, 2017. First meetings of all the committees took place in 2018. As these were introductory meetings, members were explained the Commission's background, past and ongoing work, the Strategic Plan of the Commission and Commission's observations on the state of rights in the Province. The committee members were walked through their role and responsibilities, as outlined in the ToRs of the Committees.

While the Committees are still in the process of rolling, their members from various parts of Sindh have been assisting the Commission in identification of human rights violation cases, inquiries of the cases, organizing and coordinating meetings of the Commission at the district level, and acting as a liaison between the Commission and the local officials and communities.

MEMBERS OF SHRC COMMITTEES

Advisory Committee

- ◆ Justice (Retd) Shaiq Usmani
- ◆ Justice (Retd) Aslam Jafri
- ◆ Dr Sono Khangharani
- ◆ Mr Niaz Siddiqui
- ◆ Mr Karamat Ali
- ◆ Ms Anis Haroon
- ◆ Mr Faisal Siddiqui

Human Rights Committee	Minorities Rights Committee	Gender Based Violence Committee
<ul style="list-style-type: none"> ● Ms Humaira Alwani ● Mr Zulfiqar Shah ● Ms Amar Sindhu ● Mr Iqbal Detho ● Mr Krishan Sharma ● Ms Zofeen T Ebrahim ● Ms Farieha Aziz ● Mr Noor Ahmed Narejo ● Ms Farzana Khoso ● Mr Muzaffar Ali Brohi 	<ul style="list-style-type: none"> ● Ms Kulsoom Chandio ● Mr Sono Khangharani ● Ms Mangla Sharma ● Mr M Prakash ● Rev Robin Raz ● Mr Pirbhu Lal Satiani 	<ul style="list-style-type: none"> ● Ms Mahnaz Rehman ● Ms Afia Salam ● Ms Sarah Zaman ● Ms Tahir Malik ● Ms Naghma Iqtidar ● Mr Pervaiz Abro ● Mr Abdullah Khoso ● Ms Farzana Khoso ● Mr Anwar Ali

**Part
2**

CASES

HUMAN RIGHTS PETITIONS

The fundamental element of the Commission's power and functions is direct intervention in human rights abuse cases. The Commission takes up these cases drawn from the powers outlined in the Sindh Protection of Human Rights Act 2011. These include:

“(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.”

The powers granted to the Commission are broad-ranged, aligned to the definition of human rights standardized in the Universal Declaration of Human Rights and by the UN Office of the High Commissioner for Human Rights.

Towards this end, the Commission draws basic guidelines from the universally agreed fundamental principles of human rights. These include:

"Human rights are rights inherent to all human beings. Human rights pertain to all aspects of life. Their exercise enables all individuals to shape and determine their own lives in liberty, equality and respect for human dignity. Human rights encompass civil, political, economic, social, and cultural rights, as well as the collective rights of people."

The mechanism of taking up cases has been clearly outlined in the powers of the Commission. The law provides for the Commission to take up the cases on the basis of petitions/complaints filed by the public as well as suo moto notice on any report of rights violations. The latter can be drawn from the help of media reports or information received through human rights defenders, rights activists, Commission's members, focal persons and civil society organisations.

Process of Inquiry

Once the cases are filed with the Commission, in accordance with the Rules of Business, the Commission undertakes a formal inquiry of the cases. The inquiry process encompasses registration, gathering primary data, a detailed personal hearing of the victim and other relevant actors and witnesses (relatives, friends), calling of and documentation of comments from the public officials (including authority, institution or department) identified as responsible in the case. Once all relevant information and testimonies are brought together, the Commission undertakes all statements and reports and makes recommendations to the concerned department for addressing the grievance. The recommendations are followed up with the concerned department and their secretaries through formal communication. For any report of an action taken, the Commission verifies from the victim/complainant. The Commission takes the required action if the recommendations have not been followed by the concerned institution. The option of retaking the cases is also kept open.

The Commission withdraws from the cases that are taken up by the court.

The hearings are undertaken by the judicial members of the Commission that also serve full time members. Some cases are also taken by the Chairperson if the complainant so desires. The Commission has a policy on non-participation of lawyers in hearing of inquiries, since the Commission is not parallel body to courts.

The Commission's offices are based in Karachi. However, Chairperson and Judicial Members undertake periodic visits to different districts of Sindh (the process of visits has been explained in Part No. 4 and conduct personal hearings during the exercise. The district administration, police and other relevant officials are present during the hearing which may either take place at the victim's doorsteps or at any of the concerned District Commissioner's offices.

One of the key challenges that the Commission is faced with is facilitating victims in access for hearing of the petitions. The cases of human rights violations are reported from all across the province. For personal hearings, the Commission is required to ensure the presence of the victims. As majority of the victims come from low income groups, settled in far and wide corners of the Province, travelling to Karachi for a hearing can be an immense burden on their resources. The Commission is in the process of devising a mechanism to organize hearings at a local space convenient for the victims.

The section presents details on cases taken up in year 2018-19.

Petitions 2018-19

Since its establishment, SHRC has dealt with several cases of human rights in the province. Over the years, the number of cases, both complaints and petitions, have gone up progressively. In 2016 alone, the Commission undertook 187 cases of human rights violation. Out of these, 87 cases were a result of applications filed by victims or their family members at the SHRC office and 100 cases were suo moto notices. In 2017-2018, the Commission undertook a total of 215 inquiries identified across the 29 districts of Sindh.

From July 2018 to June 2019, the Sindh Human Rights Commission registered 337 cases. Out of these, 190 cases pertained to the complaints/petitions filed with the Commission and 147 were suo moto notices.

Majority of the cases originated from Karachi, where the number of petitions registered rose from 65 to 114, marking a 43% rise. The second highest number of cases came from Umerkot with 24 cases (as compared to 13 cases registered previously). The Commission's data also registered a number of cases from Qambar Shahdadkot, growing from four last year to 18 cases in 2018-19. This is a 78% increase compared to previous years.

Human rights violations against women cover complaints under domestic violence, sexual harassment, kidnapping, illegal occupation of property and other miscellaneous cases. Complaints of murder and child marriage were also filed by victims' families.

This year, the number of rape cases filed with the Commission declined from 13 to three. The cases of sexual harassment registered with the Commission rose from two to eight in one year. Seven cases of murder are being pursued by the Commission this year, while two cases of honour killings were also registered.

Six cases of child marriage were registered. The number reduced from seven cases of child marriage registered last year. Domestic violence cases reported from July 2018 to June 2019 saw a decrease with eight registered cases; last year, the number was 18.

Ten cases of kidnapping of women have also been reported with the Commission in 2017-2018.

A trend of illegal occupation on property of several women is being observed across the Province. This year, the Commission is dealing with eight, while last year it was pursuing nine such cases. Three cases of cybercrime have also been registered with the Commission.

The Commission has been dealing with the cases of broader violations as well, such as those pertaining to political and religious expression. Around seven cases of missing persons were registered with the Commission this year. Last year, the number of missing persons cases was 18. Two cases of death in police custody are also being pursued by the Commission.

This year, SHRC also took up cases of discrimination against religious minorities at workplace.

Two cases of persons booked for blasphemy were registered from July 2018 to June 2019, while in the previous year the number stood at three. Last year, some cases of inhumane treatment by police were also reported to the Commission.

List of Rights referred by the United Nations

Human rights as civil and political rights

- Right to life • Freedom from torture and cruel, inhuman or degrading treatment or punishment
- Freedom from slavery, servitude and forced labour
- Right to liberty and security of person
- Right of detained persons to be treated with humanity
- Freedom of movement
- Right to a fair trial
- Prohibition of retroactive criminal laws
- Right to recognition as a person before the law
- Right to privacy
- Freedom of thought, conscience and religion
- Freedom of opinion and expression
- Prohibition of propaganda for war and of incitement to national, racial or religious hatred
- Freedom of assembly
- Freedom of association
- Right to marry and found a family
- Right to take part in the conduct of public affairs, vote, be elected and have access to public office

Human Rights as Economic, Social and Cultural Rights

- Right to work
- Right to just and favourable conditions of work
- Right to form and join trade unions
- Right to social security
- Protection of the family
- Right to an adequate standard of living, including adequate food, clothing and housing
- Right to health
- Right to education.

In the area of collective rights:

- Right of peoples to: Self-determination
- Development Free use of their wealth and natural resources
- Peace - A Healthy Environment

Other collective rights

- Rights of national, ethnic, religious and linguistic minorities
- Rights of indigenous peoples

CASES TAKEN UP BY SHRC

July-18 To June-19

District wise	
District	Total Cases
Badin	12
Dadu	5
Ghotki	4
Hyderabad	12
Jacobabad	2
Jamshoro	8
Karachi	114
Kashmore	4
Khairpur	10
Larkana	5
Matiari	5
Mirpurkhas	14
Naushahro Feroze	13
Qambar Shahdadt	18
Sanghar	9
Shaheed Benazirabad	7
Shikarpur	4
Sujawal	11
Sukkur	6
Tando Allahyar	17
Tando Muhammad Khan	16
Tharparkar	11
Thatta	6
Umerkot	24
Total	337

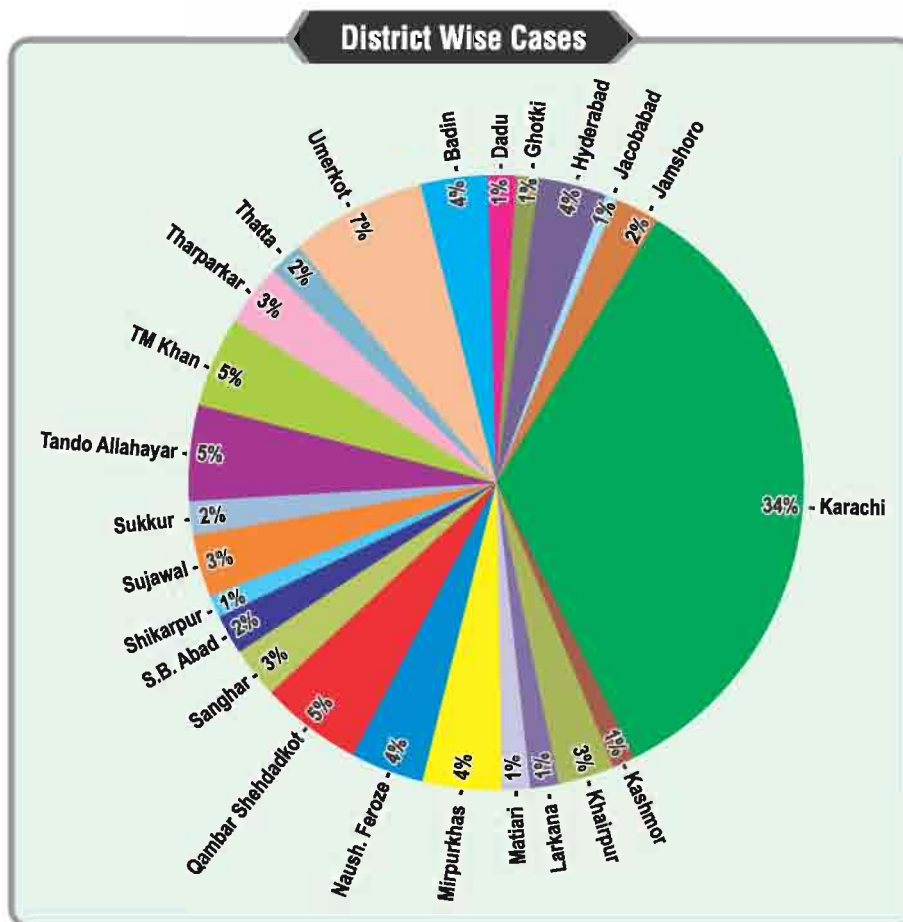
Gender Wise	
Male	153
Female	114
In Public Interest	70
Total	337

Rights Violations/Violence against Women	
Acid Attack	1
Burnt Alive	1
Child Custody	5
Child Maintenance	1
Child Marriage	6
Clearance of Dues	1
Cyber Crime	3
Death Incident (examples include alleged killing, unresolved accident cases, allegations of doctor's negligence, alleged suicide)	2
Detained Forcibly (women are subject to forced detention by parents or in-laws over disputes)	7
Domestic Violence	8
Forced Marriage	1
Fraud	3
Honor Killing	2
Illegal Occupation on Property	8
Inhuman Treatment (These mostly come from working women, especially agricultural workers. Complain (or suo moto) of inhuman treatment by employers, landlords and police)	5
Job Provision (petitioners requesting SHRC to assist with job provision on quota jobs)	2
Kidnapping	8
Missing Persons	2
Murder	7
Others	17
Protection	6
Rape	3
Request for financial assistance to address financial crisis	3
Robbery	1
Salary Issue	3
Sexual Harassment	8
Total	114

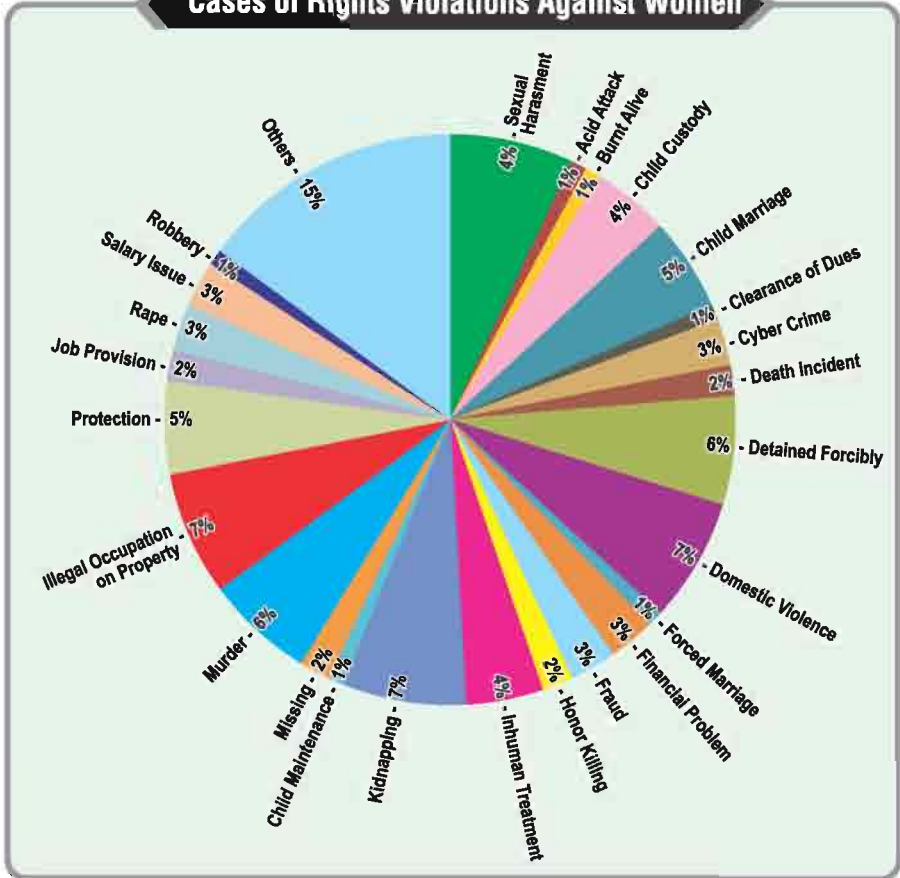
Rights Violations	
Blasphemy (pertain to suo moto notice on blasphemy allegations against vulnerable individuals)	2
Clearance of Dues	14
Corruption	3
Death in Police Custody	2
Death Incident/killing	3
Illegal Occupation on Property	12
Inhuman Treatment	3
Job Provision	8
Kidnapping	3
Life Threats	8
Missing	7
Murder	8
Others	80
Total	153

Departments responsible for addressing petitions filed in 2018-19	
Agriculture Department	2
Bait ul Mal	1
D.C Office	43
Education Department	28
Food Department	1
Govt of Sindh	24
Health Department	19
Irrigation Department	9
Police Department	209
WAPDA	1
Total	337

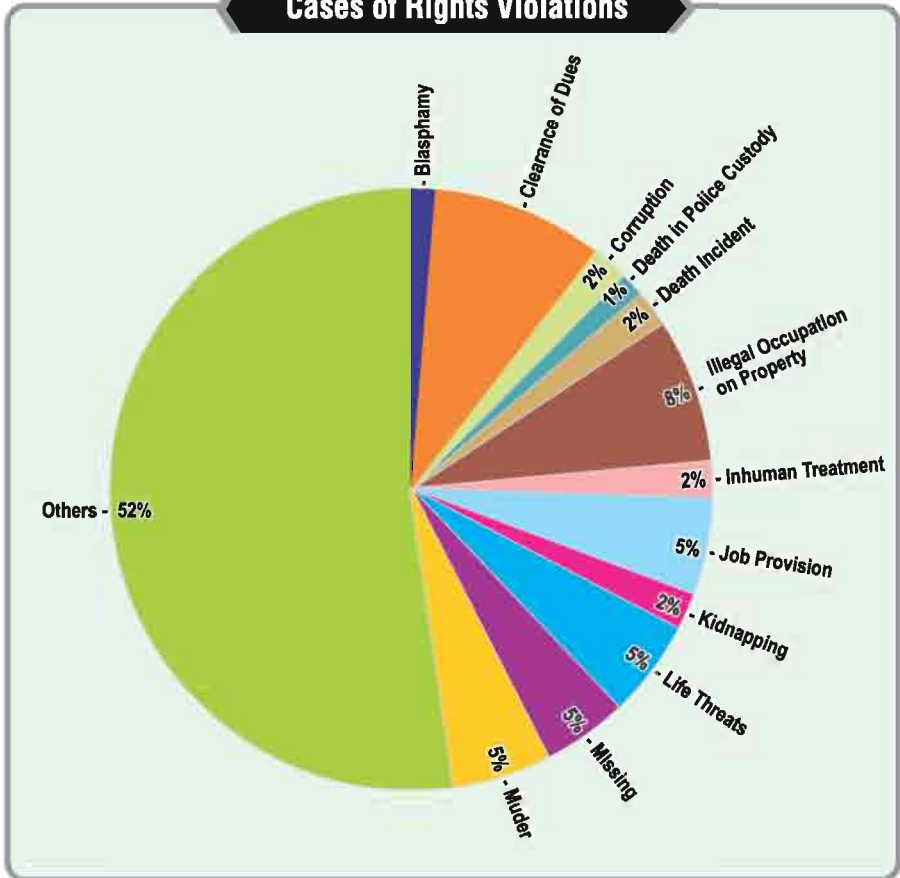
Nature of Cases	
Suo Moto	147
Complaint	190



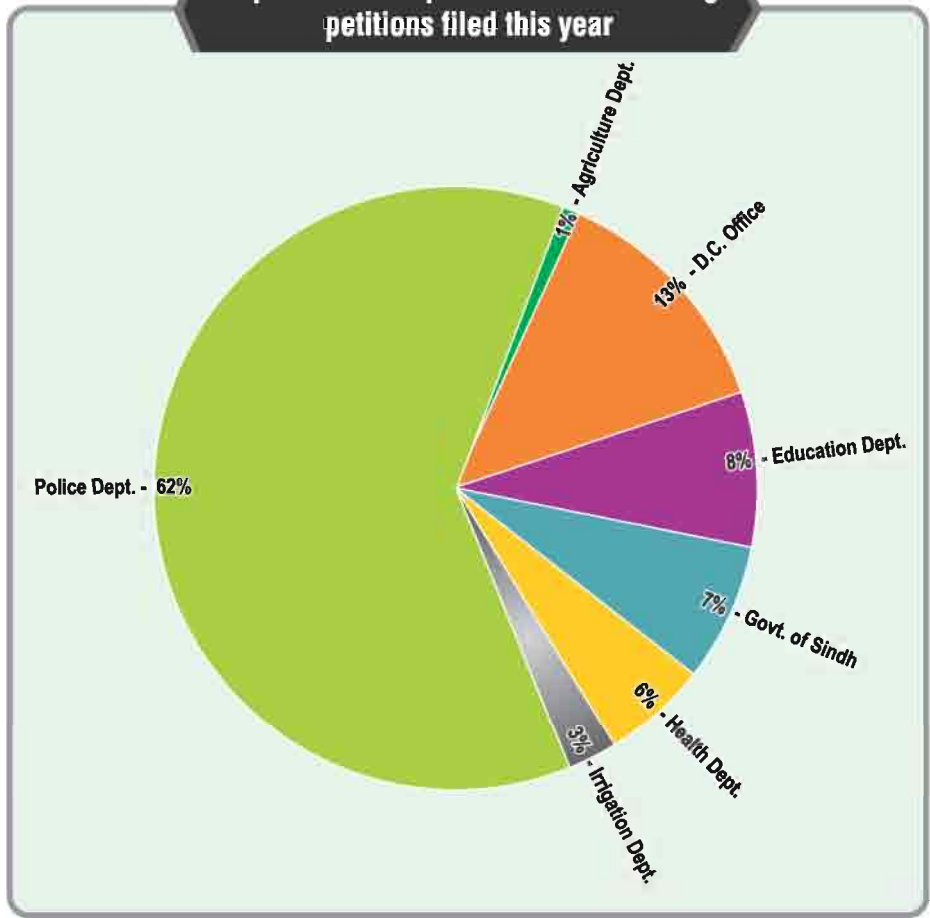
Cases of Rights Violations Against Women



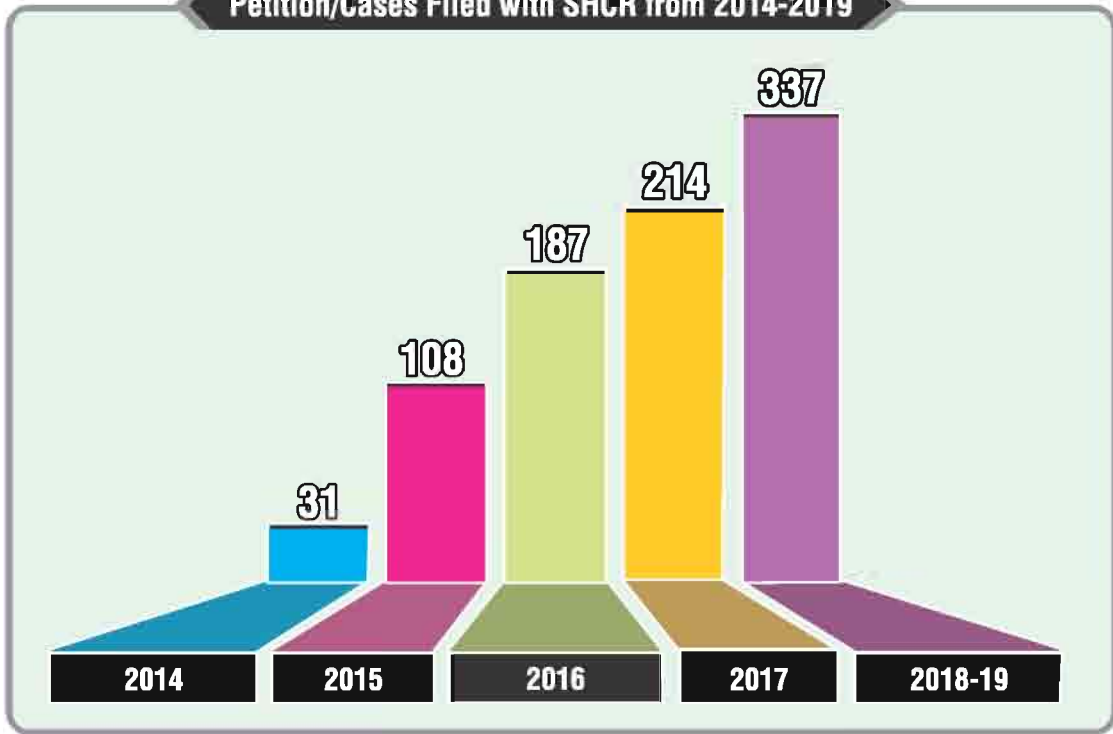
Cases of Rights Violations



Departments responsible for addressing petitions filed this year



Petition/Cases Filed with SHCR from 2014-2019



**Part
3**

CONSULTATIONS

REVIEWS AND EXCHANGES ON HUMAN RIGHTS SITUATION AND LEGISLATION IN SINDH

SHRC organises consultations and dialogue sessions every year, in line with its mandate to “review 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”. These consultations provide also facilitate a review of rights situation, existing legislation and implementation mechanisms, soliciting expert opinions and a platform to exchange views on way forward on rights issues.

The themes of the consultations are drawn from issues identified in the Commission’s Strategic Plan as well as the cases received by the Commission in the ongoing year. The consultations invite strategic actors from concerned government departments and ministries, experts, civil society, media and academia, among others. Each programme is designed to incorporate special presentation by subject specialists followed by a dialogue. The meetings are recorded and documented to maintain a follow up.

The consultations organised in 2018-19 include:

- ◆ Combating Environment Degradation in Sindh
- ◆ Human Rights Compliance in Sindh
- ◆ Promoting Responsible Business in Sindh
- ◆ Health and Safety in Agriculture

These consultations brought rights holders, experts, government officials, and human rights advocates together to discuss respective roles and strategies to address deficits by way of policy reform, dialogue and capacity building.

A brief on the four consultations is presented below.

Consultation on Combating Environment Degradation in Sindh - Reviewing the Sindh Environment Protection Act, 2014

October 4, 2018 - Hyderabad

The need for the consultation in Hyderabad was identified following growing environmental concerns in the province of Sindh, highlighted in letters and complaints sent by the general public to SHRC. Although, the Commission pro-actively responded to the concerned cases, due to inadequate legislative/administrative apparatus, the Commission felt the need for a holistic approach in drawing up an intervention for combating environmental degradation and water pollution.

The programme content drew from the provisions highlighted in the Supreme Court’s verdict on Shehla Zia V/S WAPDA, 1994, which set out three most critical foundations of environment laws in Pakistan. First, by virtue of the broad meaning of the word ‘Life’, as contained in Article 9 of the Constitution, a derivative constitutional right to an unpolluted environment has been established.

Secondly, the case established the application of the precautionary principle where there is a hazard to such rights. And finally, it accepted the persuasive value of Pakistan's obligations under customary international law.

The consultation in Hyderabad invited government officials, academia and civil society members. Deputy Director, Sindh Environment Protection Agency, Munir Ahmed Abbasi; Director, Sindh Irrigation and Drainage

Authority, Saeed Ahmed Jagirani; Chairman Task Force and Secretary Irrigation, Jamal Mustafa Syed; and Water Resource Management Expert Muhammad Umar Karim spoke at the meeting.

Other speakers included environment advocate and legal expert Ali Palh; environment journalist Afia Salam; and Muhammad Rafique of Democracy Reporting International.

While noting the very vulnerable situation with regard to water and environment in Sindh, Chairperson SHRC stressed that common public pay the highest price of the progressive environmental degradation. A recent report points that women in several areas of Sindh walk for at least five miles in search of water.

Carrying the discussion on the problem further, Ms Afia Salam highlighted that Pakistan ranks among top 10 countries worst hit by climate change. The country's massive population growth is resulting in increasing pressure on scarce resources which is becoming a cause of conflicts. In Indus Delta, precious acres of agricultural land are being lost to sea intrusion due to the lack of environmental flows downstream Kotri. With this pace, districts Thatta, Sujawal and Badin may get intruded by the sea in the next four decades. Sea intrusion has also rendered fertile plains of the Indus Delta saline.

Mr Mohammad Rafiq noted that under the European Union's trade agreement, Generalised Scheme of Preferences Plus (GSP+), Pakistan is obliged to ensure compliance with international conventions related to environment protection.

Highlighting social change due to environmental degradation and water shortage in the province, Advocate Ali Palh presented a report. He noted that water sanctioning authority was once responsible for water distribution, yet the 'Baildars' have been given unannounced authority of circulation, causing mismanagement and unfair distribution of water. As a result, there is rise in conflicts over water. Seventeen deaths on water dispute were reported from Tando Allahyar District in 2016. On average, the province's agriculture sector suffers a loss of Rs 100 Billion because of lack of timely repair of the damaged canals and water-courses.

Ali Palh observed that the relevant government departments have remained unable to convict any of the big landlords over their role in water theft or encroachments. Instead, there are reports of political



victimization of poor growers. Large water courses that are officially banned, are reportedly operational in the province

The consultation undertook a detailed discussion on current environmental laws and institutions responsible for environment management and protection in the Province.

Commenting on the environmental laws, SHRC Chairperson noted that the law is very weak, and restrictive, as it focuses on prohibitions and penalties only. While referring to Part II, Section 3 of the Act, regarding Environmental Protection Councils, the chairperson stated that 42-member council consists of only bureaucrats working with other departments; it does not include any environment experts from civil society and academia. Due to the professional commitments of the Council Members with their respective departments, no single meeting of the Council has taken place. Chairperson SHRC suggested that the Council should be reconstituted inviting participation from experts and members from the civil society and related government departments.

SHRC Chairperson also spoke about the Sindh Environment Protection Agency which has been empowered to ensure compliance with the Act. She noted that EPA is lacking competent infrastructure to ensure compliance. Moreover, it is not present in all the districts of Sindh. She also suggested that the scope of the environmental laws be expanded to cover the gaps in other laws, so that the existing apparatus such as police, district administration and district judiciary may also intervene when needed.

While presenting the Sindh Government initiatives to combat environment degradation, Deputy Director, Sindh Environment Protection Agency, Munir Ahmed Abbasi briefed the participants on salient features of the Sindh Environment Protection Act 2014 and the Sindh Environmental Protection Agency (SEPA). He shared that the Agency has operationalized EPA laboratory in Karachi, installed three Air Monitoring Units that have been donated by Japan, forwarded 152 cases to the Environmental Protection Tribunal, filed 384 complaints in the Courts of Judicial Magistrates through SEPA's regional offices, imposed penalties of Rs 19.5mn on violators and sent 27 cases to the concerned Deputy Commissioners for the recovery of penalties.

While introducing the Sindh Irrigation and Drainage Authority, Director SIDA, Mr. Saeed Ahmed Jagirani shared that the Authority is responsible for supplying water from barrages to canals. Sindh's 14 canals are operated by Area Water Boards. In recent years, SIDA has rectified over 5,000 water courses and lodged 62 FIRs against water theft. Currently, SIDA is actively removing encroachments along the canals to address canal water pollution.

Muhammad Umar Karim, Water Resource Management Expert stressed that the issue of excessive use of underground water across the country is resulting in disturbance of ecological resource base.

In the light of the issues discussed, a set of recommendations were made. These are shared on page No.40.

Consultative Workshop on “Human Rights Compliance in Sindh”

December 6, 2018 - Karachi

The Sindh Human Rights Commission held a consultative workshop on Human Rights Compliance in Sindh, in Karachi. The workshop was organized in collaboration with the Democracy Reporting International on the occasion of the 70th anniversary of the United Nations Declaration on Human Rights, with the objective to highlight Pakistan’s commitments on human rights.

The workshop also sought to follow up on the Commission’s mandate to study treaties and other international instruments on human rights and make recommendations for their effective implementation.

Key speakers included Advisor to Sindh Chief Minister on Law, Environment & Climate Change & Coastal Development, Barrister Murtaza Wahab; Chairperson SHRC Justice (Retd) Majida Razvi; MNA Mahesh Kumar Malani; MPA Farhat Seemi, also recently appointed as member of Sindh Human Rights Commission; Secretary Human Rights Department Sindh, Riaz Hussain Soomro; Executive Director of the Pakistan Institute of Labour Education



and Research (PILER) Karamat Ali; Secretary General of the Employers Federation of Pakistan, Fasih ul Karim Siddiqi; Chairperson Sindh Labour Council, Habibuddin Junaidi; senior human rights expert, Iqbal Detho; Nazish Shekha of Pakistan Business Council (PBC), Zulfiqar Shah and Zeenia Shaukat representing PILER, and Muhammad Rafique of DRI.

Chairperson SHRC, while briefing the audience on the Commission’s work said the Commission is following up on the Province’s efforts on compliance to international treaties on human rights. Chairperson spoke about the deteriorating situation of human rights and civic freedoms in the country. She underlined the necessity of educating people in order for them to exercise and protect their rights. She stressed that the Commission aims to play an instrumental role in the promotion and protection of human rights in Sindh by collaborating with key stakeholders.

Secretary of Human Rights Department Riaz Hussain Soomro, briefed the participants about the progress made by the Provincial Administration towards human rights compliance and the significance and the current work of the province’s human rights bodies, including SHRC, the Sindh Commission on the Status of Women and the Sindh Child Protection Authority. MPA Farhat Seemi appreciated the role of the Commission in promoting and protecting human rights in the Province.

Highlighting non-compliance of labour rights, Karamat Ali of PILER pointed out that workers in Pakistan are deprived of their fundamental right of association and collective bargaining. He said only

one percent of the labour force is organised in Pakistan, which negates the constitutional right to freedom of association.

A panel discussion on 'Human Rights from the Prism of ICCPR: Resolving Challenges to Civic Freedoms' was also incorporated in the programme. Panellists included member of National Assembly Mahesh Malani and senior human rights expert Iqbal Detho. Participants noted that Pakistan has ratified seven out of total nine core human rights conventions, including the ICCPR in 2010. The state is bound to implement and submit periodic reports on the status of compliance. Referring to the ICCPR observations, Mr Detho presented a set of recommendations to the Sindh Government to ensure compliance at the provincial level. These included: legislative arrangements/reforms on non-discrimination, prevention of torture, and ensuring fair trial. In addition, a set of recommendations for institutional reforms including independence of provincial human rights bodies, strengthening of Treaty Implementation Cell, and availability of resources for social sector departments including Social Welfare, Women Development and Human Rights Department were also shared.

In the discussion on 'Sindh as a Livelihoods Hub: Resolving Challenges to Human Rights at the Workplace', panellists Fasih-ul-Karim Siddiqui, Nazish Shekha and Zeenia Shaukat highlighted the importance of adopting a multi-stakeholder approach on human rights. Mr Siddiqui urged SHRC to work on sensitizing the business community so that they can play a role in promotion and protection of human rights in a coordinated way. Zeenia Shaukat added that there is need to analyse the rights situation keeping in view the facts that Sindh is the most industrialised province in Pakistan, and agriculture and small and medium size enterprises fall under the informal sector of the economy that has no legal cover for labour rights. Statistics show over 1,000 reported cases of fire accidents across Pakistan in a single year alone, majority of which occur in small shops. She recommended that human rights due diligence should be introduced in all sectors of the economy. Nazish Shekha shared her organisation's work on facilitating working mothers, employed in the private sector with day-care facilities. She shared that in her organisation's experience, promoting day-care facility has a positive effect on the wellbeing and access to work for women.

Barrister Murtaza Wahab, Advisor to Sindh Chief Minister on Law and Information emphasized the need to prioritise human rights by the government. He noted that collective efforts of the government, civil society, business community and human rights institutions are imperative to ensuring provision of rights and promoting social reforms. He stressed that the Sindh province has made record number of laws pertaining to human rights and labour rights, creating provincial institutions such as SHRC and fixing the highest amount of minimum wage. Moreover, the Provincial Government is working on establishing Legal Aid Authority and Witness Protection Program. The Provincial Government was open to the proposals of the civil society and Sindh Human Rights Commission for furthering rights reforms.

Dialogue with EFP and PILER to Promote Responsible Business

January 15, 2019 - Karachi

Following up on its earlier consultation with the Employers Federation of Pakistan (EFP) that outlined the need for the Commission to work closely with the business community for promoting responsible business, SHRC organised a dialogue with concerned stakeholders.

The meeting invited Employers Federation of Pakistan, PILER, and SHRC members. Led by Chairperson SHRC Justice (Retd) Majida Razvi, others present included Secretary SHRC Abida Lodhi, Member Judicial-II, SHRC Muhammad Aslam Shaikh, Member Advocate Rubina Brohi and Zulfiqar Shah and Zeenia Shaukat representing PILER. Employers Federation of Pakistan was led by Fasih-ul-Karim Siddiqi, Secretary General EFP and members Ahsanullah Khan and A. H. Haidri.



Chairperson SHRC talked about the Commission's functions, powers and responsibilities, as well as SHRC's work in various districts of the province and the Commission's approachability in terms of dealing with issues related to human rights. Member Judicial-II, SHRC Muhammad Aslam Shaikh stated that the Commission is ready to address the lacunas in labour laws that can assist in creating a pro-rights environment at workplace.

Zulfiqar Shah of PILER emphasised on the necessity of the implementation of GSP+ conventions. The preferential access is only conditional to Pakistan ensuring the implementation of international conventions related to human rights, labour rights, civil and political rights, as well as good governance and environmental protection.

Secretary General EFP, Fasihul Karim Siddiqi said that there is need to train employers and workers together to promote compliance of human rights provisions. He stated that compliance opens the way for growth, performance and satisfaction for all parties involved. He also invited the Commission to take forward the law on non-discrimination drafted by the Federation. The Commission agreed to look into it and review it before sharing it as a recommendation with the government.

Rubina Brohi, member SHRC stressed the need for stakeholders from civil society and business to connect with the government functionaries and parliamentarians for a dialogue on way forward .

Key areas for collaboration agreed upon by SHRC, PILER, and EFP include:

- ◆ Promotion and Implementation of the United Nations Guiding Principles on Business and Human Rights as a campaign;
- ◆ SHRC to review laws related to labour and business, in order to ensure transparency and compliance of human rights in business;

- ◆ Work together to ensure legislation on two laws: Equal Employment Opportunity Law and Equal Pay for Value of Work;
- ◆ Explore a mechanism for Alternative Distribution Resolution with respect to labour issues;
- ◆ Campaign for addressing lacunas in existing laws;
- ◆ SHRC can take the lead to form a coordination mechanism to ensure compliance and implementation of conventions;
- ◆ A workplan for awareness sessions on human rights, to be organised at the premises of the provincial business forums.

Seminar on Use of Pesticides and Fertilizers in Agriculture

February 20, 2019 - Hyderabad

SHRC also collaborated with the Agriculture Department, Sindh, through the Director Agriculture Extension, to organise a dialogue on “sale of poisonous vegetable in Sindh”. The dialogue was followed by a suo moto notice by the Commission on the cases of poisonous vegetables in Karachi, owing to the use of fertilizers, industrial water, sewerage water, garbage and pesticides. Due to this, consumers are exposed to the risk of life-threatening diseases of stomach, liver, kidney, bones and mental illnesses.

Officials of the Agriculture Department, experts, farmers, civil society activists, human rights activists and media attended the dialogue.

Participants discussed measures to address the issues and the role that stakeholders can play in creating awareness and enforcing related regulations. SHRC agreed to collaborate on initiating an awareness drive at the grassroots level over misuse of hazardous pesticides.

**Part
4**

VISITS

CONNECTING WITH STAKEHOLDERS

Under Section 4(iv) and (ix) of the powers of the Commission, the SHRC has been given the mandate to:

“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;”

“Promote awareness of the safeguards available for protection of human rights through print and electronic media, seminars and other available means.”

The Commission executes this mandate in a multipronged way. Visits to government facilities in Sindh’s districts are organised at different points all through the year. The opportunity is also used to conduct inquiries into the cases taken up by the Commission, at the concerned complainant’s doorstep. The Commission undertakes an exercise of contextual assessment of human rights situation of the district under visit, reaches out to critical stakeholders to gather inputs on key rights issues and also share information material on Commission’s work, to enhance public’s understanding of the Commission.

For this purpose, all district visits are designed to cover an in-depth review of government facilities (hospitals and jails), meeting with complainants and outreach to key stakeholders, including district officials, education and health department officials, district and sessions courts members, civil society, and bar associations.

The standards employed to assess government facilities include an overview of the physical infrastructure, cleanliness, functional amenities, quality of amenities, and staff availability. The Commission’s team conducts on-the-spot interviews with users (patients for hospitals and inmates for jails), interviews with management and administration, and also seek explanation on deficits.

The stakeholders such as district officials, police, civil society and the media, are either met with individually or in group. The Commission enquires from them specific details of the state of human rights in the region and challenges in access to rights and services for the local population. The Commission also makes a follow up with the district police on cases taken up by the SHRC from the region. Civil society is engaged for inputs and critical view on rights issues in the region.

A key objective that these visits serve is outreach to the public, especially complainants from the concerned district at their very doorstep. The Commission’s office is based in Karachi and its focal persons and committee members are based in various districts of Sindh. The focal persons and committee members assist the Commission in identifying human rights violation cases and conduct initial inquiry, when needed.

The Commission is also assisted by the local focal persons, working voluntarily with the Commission, providing support and inputs on issues.

The Commission makes an effort to meet the members of the District and Sessions Court judges in all visits. These meetings help with improved understanding of the challenges of law implementation at

the grassroots, increase communication and open spaces for collaboration. The Commission specifically follows up on the status of law implementation with regard to human rights (laws on violence against women, child marriage, and minorities protection). The interaction assists the Commission in identification of specific issues that obstruct access to rights at the grassroots level.

Handling Complaints During Visits

The Commission receives several complaints on a daily basis on top of the suo moto notices taken based on reports from the media and other sources. Majority of the complaints and notices are from communities from far flung areas. The Commission corresponds with them through various communication means, and when need be, the Commission's focal persons also undertake visits to victim/complainant's premises. However, the Commission's Rules of Business require the Commission to undertake personal hearing before any recommendations are made. The complainants based outside Karachi and even those living in the metropolis - have to bear considerable expenses to personally meet the Commission's leadership and members and discuss their grievance.

Realising these challenges, the Commission uses the visits as an opportunity to reach out to the victims identified in the cases registered with the Commission, at their doorstep. The programme schedule of the visits are designed to incorporate meeting with the complainants, visit their premises and issue instructions to the government officials and police, that are usually accompanying the Commission, to take action to address the rights violation.

Complaints that require more detailed response are taken back to Karachi and a communication is maintained with the complainants to update on the action taken.

SHRC undertakes several considerations while designing a visit. The Commission draws from the cases database (constantly updated) to assess geographical locations of major number of complaints. Moreover, the Commission's Strategic Plan and sub-committees members also inform and guide towards areas that require urgent and detailed human rights-based interventions. The Commission also considers the economic factors and visits are designed based on the coverage of maximum areas in a time-period bound exercise.

The Commission makes an effort to visit at least five districts in any given year.

Follow Up of the Visits

As a key requirement of the mandate of the Commission, report of the visit and recommendations are developed following conclusion of each visit. These are shared with departmental secretaries, Chief Minister's Office and Chief Secretary's Office. The Commission also maintains a follow up with the focal persons and local NGOs with regard to independent information on advancement in the cases inquired at the district level.

The visits have played a vital role in advancing the Commission's mandate on facilitating access to human rights for the citizens of the Province. This is reflected in prompt action taken by the departments and concerned officials towards violations pointed out by the Commission and for the cases registered by the complainants. With regard to the later, the Commission has observed resolution or way forward in complaints pending for a long time.

The visits have also facilitated stronger linkages with the police and local administrative set up that encourages more reporting and prompt action for future complaints.

Summary of Outreach And Field Visits Made By SHRC in 2018-19

This year, four rounds of visits were organized. These visits were undertaken by Chairperson SHRC Justice (Retd) Majida Razvi, Members SHRC Judicial-II, Muhammad Aslam Shaikh assisted by Member Commission Ms. Rubina Brohi and staff Mr. Adnan Khaskhely.

Areas covered in these visits in 2018-19 include:

1. District Matiari
2. District Tando Allahyar
3. District Tando Mohammad Khan
4. District Shaheed Benazirabad
5. District Naushehro Feroze
6. District Sanghar

The visits were undertaken in the months of February, March and April 2019.

Following are the details of all the visits made by the Commission. Recommendations filed by the Commission are presented in a separate section.

District Matiari

In Matiari, the Commission, led by Chairperson Justice (Retd) Majida Razvi, held meetings with the Deputy Commissioner, Parvez Ahmed Baloch; Additional Deputy Commissioner, Farrukh Shahzad; assistant commissioners representing their respective talukas; and Senior Superintendent of Police, Asif Ahmed Bughio. The Officers of different government departments, along with Chairperson Town Committees from all the union councils and town officers also met the SHRC team. Separate meetings were held with the district judges at District and Sessions Court, Matiari.



The Commission reached out to the local civil society, which briefed the Commission about the prevailing condition of human rights in Matiari.

The meeting with District and Sessions Court was organised to discuss the judgments of the Supreme Court regarding existing legislation and specific human rights issues of the district.

Highlights from discussion on human rights with stakeholders in district Matiari are listed as follows:



- ◆ The administration of District Matiari is experiencing shortage of staff. This has had an adverse impact on the delivery of public service.
- ◆ There are relatively fewer reported cases of violence against women, forced marriage, and child abuse as compared to other parts of the province. The Law and order situation of the district is generally peaceful, apart from a few reported cases of minor intra-community conflicts. The Law Enforcement Department shared that they take swift action over reported crimes.
- ◆ With respect to gender-based violence, police officials and civil society flagged lack of awareness on the the dynamics of violence against women, because of which majority of the cases go unreported. The Commission was requested to work for creating awareness and understanding about GBV at the union council and taluka levels.
- ◆ Sanitary workers in the district work in hazardous conditions as they are not provided with safety equipment.
- ◆ The situation of sanitation and environment was observed to be deplorable in the district due to the absence of solid waste management and sewage water treatment. It was reported that canal water, contaminated with sewage water and factory waste, was being consumed by the local population for drinking and agriculture purposes.
- ◆ Lack of access to clean drinking water was flagged as a critical issue. Majority of the areas do not have clean drinking water which leads to diseases such as measles and hepatitis. Lack of quality medical and health facilities to treat these illnesses add to the distress of the local population.

District Tando Allahyar

The SHRC team, led by Chairperson Justice (Retd) Majida Razvi, visited District Tando Allahyar and met with the government officials, judiciary and civil society in the district. The government officials included Deputy Commissioner Tando Allahyar, Rasheed Zardari; Senior Superintendent of Police, Rukhsar Khuhawar; Additional Deputy Commissioner, Asif Ali Khaskhaly; Assistant Commissioners of Tando Allahyar talukas, along with officers representing various government departments in the district. They briefed the Chairperson SHRC on the progress on human rights in their respective departments. Press and media were also present at the meeting.

A separate meeting was also organised with the judges of the District and Sessions Court in Tando Allahyar, where the judgments of the Supreme Court regarding minority rights was discussed. SHRC also sought the honourable judges' views on the jirga culture, its role in mediation of civil matters and repercussions for the rule of law. The state of human rights was also discussed, wherein the Commission was informed about the judicial intervention mechanism in human rights issues.



Highlights from discussion on human rights with stakeholders in Tando Allahyar:

- ◆ While there are fewer reports of cases of human rights violations and law and order situation, minor intra-community conflicts are reported in the district.
- ◆ The district also suffers from administrative issues in the departments of health, education and local government.
- ◆ All stakeholders and civil society stressed the urgent need to upgrade the only Taluka Headquarter Hospital to the level of District Headquarter Hospital.
- ◆ During the meeting with the civil society, a case of domestic violence was reported. The complainant shared that the police has been showing restraint in taking action against the perpetrator. The Commission Chairperson directed the SSP present in the meeting, to immediately look into the case, take action and send report to the Commission.
- ◆ As with other districts, the environmental condition of the district was reportedly deplorable following the absence of solid waste management and sewage water treatment facilities. The Commission was informed about the lack of landfill sites, which had been aggravating the sanitation issues throughout the district.
- ◆ Absence of a proper system for clean drinking water was also strongly flagged by the local population. This has been a major cause of diseases such as hepatitis and measles.
- ◆ Lack of proper medical and health facilities in the district was also pointed out during the visit.
- ◆ It was reported that there was no system for the local sanitary workers to access health and safety equipment to manage safety risks in the precarious nature of their work.
- ◆ The district relies on agriculture for livelihood. However, the local farmers use insecticides and pesticides in abundance with no precautions and safety measures. This endangers the health and life of the local agriculture workers.
- ◆ The issue of water shortage is also prevalent. The local community shared that influential landlords steal water and deprive others at the tail end of the canal and branches.

District Tando Mohammad Khan

- ◆ The SHRC team visited District Tando Mohammad Khan and met Deputy Commissioner, Yasir Bhatti; Additional Deputy Commissioner, Junaid Samo; Senior Superintendent of Police Zulfiqar Ali Talpur; Assistant Commissioners of concerned talukas, representatives of various government departments, and members of the district's civil society. During the meeting with the judiciary, the Chairperson also met with the District and Sessions Court Judge of Tando Mohammad Khan.



Highlights from discussion on human rights with stakeholders in District Tando Mohammad Khan:

- ◆ The area is experiencing acute water shortage, water stagnation, environment degradation, and access to quality health and education.
- ◆ The conditions of water, environment and solid waste management were similarly identified as grave, which required immediate intervention and redressal.
- ◆ The local stakeholders pointed out to the abundance of schools in the district. There were 900 government schools, most of which were non-functional.
- ◆ With regard to health, several developments were observed to have taken place in the district with the construction of NICVD, upgradation of the district hospital and the construction of primary health centres under the PPHI.
- ◆ Similar to other districts, the plight of sanitary workers was noted as “alarming” in Tando Mohammad Khan. They are not provided with any safety gears; they work under poor working conditions and face rampant discrimination in employment.

SHRC team also took up with the SSP the slow-paced response with respect to the Commission's notices to Tando Mohammad Khan police. The Commission pointed the need for a timely follow up and a more responsive approach from the police for the cases being pursued by the Commission.

Recently, the Commission has been receiving successive complaints against NADRA in Tando Mohammad Khan, pertaining to irregular process of the issuance, correction and renewal of GNICs in the district. The issue was taken up with the district officials.

District Sanghar

Chairperson SHRC led the visit to District Sanghar and met Deputy Commissioner, Nisar Ahmed Memon; Additional Deputy Commissioner, Subhash Chander; Senior Superintended Police, Zeeshan Siddiqui, along with representatives of various government departments, chairpersons of town committees of local talukas, and District Bar Association. In Sanghar, the SHRC team also visited temples and gurdwaras and met representatives of the local Hindu panchayat, who briefed about the status of minority rights in the district.



Highlights from discussion on human rights with stakeholders in Sanghar:

- ◆ DC Sanghar spoke about cases of bonded labour, child labour and brick kiln workers. He shared the details of his own interventions in addressing these issues in the district.
- ◆ Talking about the menace of gender-based violence in the district, the DC admitted that much work needs to be done in the district as there is limited understanding of the issue among the general public. He requested the Chairperson to initiate a sensitization drive about GBV at the UC level. The DC also stressed on opening of regional offices of SHRC at the district level, to facilitate easy access for the local population to the Commission's facilities. He assured of his support for the Commission's activities.
- ◆ The District Education Officers, both primary and secondary, briefed the Chairperson about the state of education in Sanghar. The local civil society pointed out that Taluka Jam Nawaz Ali does not have a single girls school. They strongly expressed that the existing facilities of education in the whole district were inadequate.
- ◆ Chairperson SHRC questioned the Agriculture Extension Officer about the miserable conditions being faced by the agriculture workers who are working without any protective gears, undertaking risky procedures in the field. The civil society pointed out that farmers get injured or even lose life due to insufficient precautionary measures while using agricultural machines (specially threshers) and uncontrolled exposure to poisonous pesticides and insecticides.
- ◆ The Agriculture Extension Officer shared the department initiated sensitisation campaign curtailing the use of pesticides and insecticides at UC level. However, there has not been much positive response from the community. He further pointed out that there is acute shortage of resources in implementing effective controls on the sale of pesticides and insecticides.



- ◆ Worsening conditions of health in the district, including the non-functional state of Basic Health Units (BHU), shortage of doctors and medicines in the civil hospital were also reported.
- ◆ Lack of clean drinking water was also reported. More than 90% of the population in district Sanghar was said to be consuming contaminated and poisonous water.
- ◆ Lack of human resource in the district administration was stressed by DC Sanghar.

Chairperson Sindh Human Rights Commission Justice (Retd) Majida Razvi held a separate meeting with District Bar Association, Sanghar. The meeting was jointly chaired by the Chairperson and General Secretary Advocate Sunil Kumar. The Chairperson shared with participants the powers granted to the Commission under The Sindh Protection of Human Rights Act, 2011 and the subsequent work undertaken by the Commission following its mandate to advance human rights in the province.

One of the key issues raised by the District Bar Association was the curtailment of Section 22-A, CrPC (which enables courts to direct Police for lodging FIR on any complaint). Curtailing the human rights powers of district and sessions judges has added to the vulnerabilities of the public.

The Commission also held a meeting with the District and Sessions Court judge, additional judge and civil judges in Sanghar. Issues related to human rights were discussed, wherein the Commission was informed about the process and outcomes of the judicial intervention mechanisms to resolve human rights issues in the district.

District Shaheed Benazirabad

As a part of the extended field visit plan in April 2018, the Commission, led by Chairperson Justice (Retd) Majida Razvi, and assisted by Commission member Rubina Brohi, visited District Shaheed Benazirabad. The Commission held meetings with Deputy Commissioner Office Shaheed Benazirabad Mr. Abrar Ahmed Jaafar, officials representing Health Department, Education Department, Social Welfare, Engineering Department, town committees of various talukas, Agriculture Department, Irrigation Department, Public Private Health Initiative, and notables of civil society and media.

Highlights from the discussion on human rights with stakeholders in Shaheed Benazirabad are as follows:

- ◆ SHRC's Chairperson briefed participants about the European Union's GSP Plus+ awarded to Pakistan and the significance of compliance to various human rights treaties for the province and the country.
- ◆ She also inquired from all the participants and officials about the state of human rights in their respective departments.
- ◆ On the state of basic services, the local civil society expressed dissatisfaction with the state of education. The civil society also shared their disappointment over the existing medical and health facilities in the district. There were non availability of medicines, cleanliness issues and inadequate capacity at the Civil Hospital Shaheed Benazirabad.
- ◆ These issues were taken up with the Medical Superintendent Civil Hospital, Shaheed Benazirabad. He disagreed with the observations of the civil society and requested the Chairperson to visit the Hospital for her satisfaction. The allegations of maladministration, corruption and non-availability of medicine were also cross-checked in the meeting with

Honorable District and Sessions Judge Shaheed Benazirabad. The Commission has decided to undertake a separate and detailed inquiry into the issue.

- ◆ The condition of health and safety in the agriculture sector were as poor as noted in other districts. The officers pointed out that there is limited understanding of health and safety risks among farmers. They also shared challenges pertaining to efforts by the Agriculture Extension Department to raise awareness on health and safety hazards among the agriculture workers. According to the Department, there has been poor response to all such initiatives.
- ◆ Members of the civil society also raised issues such as supply of contaminated water to the local population in the district. They urged the Commission to work towards providing access to clean drinking water for Shaheed Benazirabad.
- ◆ Representatives of the Social Welfare Department also briefed the Chairperson about the availability of safe houses. Discussing the issue of safety and security at the safe houses, it was observed that more work needs to be done to improve security, access and availability of amenities. Safe houses offer shelter to the victims of violence and threat, who need a sense of safety and psychological wellbeing when they enrol in the safe houses for rescue.

A meeting was also held with District and Sessions Judge, along with Additional District and Sessions Judge and Civil Judges. As in other districts, the Commission took up cases of human rights abuses, the Supreme Court's Judgment on minority rights and illegality of jirgas besides mediation in the civil matters. The Commission assured the Honorable District and Sessions Judges of its support to assist in implementation of rights verdicts and legislation.

The District and Sessions Judge apprised the Commission on the state of human rights in the district, informed about the judicial intervention mechanism adopted by them including inspections of schools and hospitals and working with the District Administration to take necessary actions for implementation and improvement in law enforcement. The District Judge also informed that High Court has appointed him to check the hospital administration in purchase and disposal of medicine and other areas to ensure transparency, as demanded by the public.

District Naushahro Feroze

In the last week of April 2019, the team of the Sindh Human Rights Commission visited District Naushahro Feroze. The SHRC team met Deputy Commissioner Captain (Retd) Bilal Rao, ADC-I Fayyaz Hussain Rahoojo, SSP Captain (Retd) Tariq Wilayat, government officials, chairpersons town committees of various talukas, and notables from the civil society and the media.

Highlights from the discussion on human rights with stakeholders in Naushahro Feroze are summarized below:

- ◆ Chairperson SHRC was briefed by the SSP who spoke about the role of the Police Department to combat human rights violations in the district. He also shared cases, wherein timely action by the police led to arrest of the perpetrators.
- ◆ Talking about the condition of jails in the district, the Superintendent District Jail Naushahro Feroze reported dissatisfactory conditions and shared that no funds have been allocated to the district jail since 2017, which explains why the building is in a dilapidated condition and poses risk to the lives of the inmates.



- ◆ Lack of facilities including that of clean drinking water was also pointed out by him. It was shared that recently ten samples of water were tested from Public Health Food Analysis Laboratory, Sukkur. The tests concluded that the water being supplied to the inmates is not safe for the consumption of human beings. SHRC was requested to facilitate setting up of RO Plants at the premises so that the health of the prisoners could be safeguarded.
- ◆ The Jail Superintendent also raised the issue of frequent power outages in the jail premises which creates a security risk. He added that despite numerous requests to the Sukkur Electric Power Company for the provision of uninterrupted electricity supply to the District Jail, no action has been taken by the concerned authorities.
- ◆ Another alarming issue pointed out by the Superintendent related to the provision to segregate HIV and Hepatitis effected inmates. He shared that due to inadequate response from the relevant authorities, no action has been taken for the screening of the inmates, creating the possibility of serious risks to inmates' health.
- ◆ The local civil society pointed to the inadequate state of facilities and services at the district hospital. Lack of medical equipment, including first aid toolkit and medicines, as well as shortage of hospital staff were flagged as major issues. The Commission was informed that the patients have to travel to Sukkur, Khairpur or Shaheed Benazirabad for treatment.
- ◆ Lack of ambulances was also reported. The Commission was told that people pay hefty amounts to private ambulances to transport patients to hospitals.
- ◆ Issues related to the lack of access to clean drinking water and deplorable condition of sanitation were also flagged.

A meeting was also held with the District and Sessions Court Judge, Additional District and Sessions Judge, and the civil judges. Chairperson SHRC discussed the Supreme Court's rulings and judgements on rights related matters and implementation at the district level. The conditions of human rights were also discussed with the judiciary, who informed that judicial intervention is being used in cases related to child marriage, domestic violence and child rights.

District Judge also informed SHRC Chairperson that the High Court has directed the courts to monitor the state of hospitals in the district, as well as address grievances of the public, with respect to the availability of medical staff and medicines.

RECOMMENDATIONS

Drawing from the Commission's own observations, and opinions shared by experts in the course of the Commission's visits and consultations on a range of rights issues, following recommendations have been drafted. These have been shared with the related provincial departments and the Chief Minister Sindh.

Recommendations on Water and Environmental Issues in Sindh

Broader Recommendations

- ◆ The Government of Pakistan should ensure implementation of 'Water Apportionment Accord' signed in March 1991.
- ◆ The Government of Pakistan must ensure equitable distribution of water between provinces.
- ◆ International standards require forest cover of minimum 12%. Currently, the forest cover of Sindh is reported to be 8% while that of Pakistan is less than 2%. The provinces must take the lead on afforestation.
- ◆ Crop-zoning should be adopted with an approach to better managing scarce natural resources.
- ◆ A provincial dialogue is required on water management and governance following implementation on relevant legal frameworks for a fair distribution of irrigation water across the province.
- ◆ There is a need to increase/sustain water flow down to the Indus delta to prevent sea intrusion.
- ◆ There is a need to review the production of the crops keeping in view the sustainability of the environment, land quality and availability of water in Pakistan.

Recommendations for Legal Reforms

- ◆ The Sindh government is required to introduce provincial irrigation water policy.
- ◆ The Sindh Environment Protection Act, 2011 needs amendment to add a more severe punishment on the violation of laws. There is a need to pursue practical measures to enable the implementation of the law.

Recommendations for Institutional Reforms

- ◆ The Sindh Environment Council needs to be made operational. There is also need for reconstitution of the Council with more representation of the civil society, experts and academia.
- ◆ SEPA requires better capacity development to be able to pursue its mandate. The Government should develop a comprehensive capacity development plan for the Agency, as its actions and inactions have a direct bearing on the physical environment of the Province.
- ◆ The Environmental Protection Tribunals also need to be made functional and empowered.

- ◆ A more transparent and accountable system needs to be developed for the Sindh Irrigation and Drainage Authority. SIDA needs to be tasked and held accountable for steps for the prevention of water contamination.

Recommendations for Access to Clean Drinking Water

The Sindh Drinking Water Policy 2017's vision statement calls for the provision of safely managed drinking water with adequate supply; and to enhance public awareness about the issues of health, nutrition and hygiene related to safe drinking water. Regrettably, no work has been done to comply with the recommendation of the policy.

SHRC therefore recommended that The Sindh Drinking Water Policy, 2017 may be updated along with the subsequent legislative apparatus to ensure implementation of the Policy. The Policy may be reviewed in lieu of the recommendations made by the Supreme Court Water Commission Report with special and concentrated focus on the Water Commission's following recommendations;

- ◆ Instead of manually monitoring water distribution, whereby it is not possible to check water theft, puncturing of water lines and running of illegal water hydrants, a modern system based on computer technology with command and control room to monitor water supply and water theft may be immediately put in place.
- ◆ Directions may be issued for the establishment of water labs at the taluka level, near water supply schemes for monitoring quality of drinking water before it is supplied to the public. The system of third party monitoring i.e. cross checking by independent and reputable labs may be made an integral part of water examination in the Province.
- ◆ The present policy of installation of RO plants and their maintenance and operation on public money may be re-examined, in lieu of the observation that the quality of water produced and supplied from the RO plants is not being maintained as per WHO standards. The policy of awarding contract of RO plants may be made more transparent and there must be introduced a component of water quality checking at each RO plant through credible lab process.
- ◆ Installation of pre-treatment plants within the factory to treat toxic effluent treatment inside the unit may be declared mandatory. Violation thereof be made a cognizable offence. In this regard, the responsibility shall be fixed on industries and commerce department and management of the factories themselves.
- ◆ There is a lack of awareness among the people about the importance of clean water, water borne diseases due to the use of polluted water and other water related issues. Therefore, the education department may be directed to include the subject of provision of safe potable water, sanitation and healthy environment in the curriculum from primary level to create awareness about these issues among the children.
- ◆ The Irrigation Department may be directed to protect the surface water from untreated municipal and industrial effluent being directly discharged into water bodies. In case of failure among the related field officers, the Secretary Irrigation Department shall be held responsible. In this regard, a network of drains with outfall in RBOD or LBOD, as the case may be, with a

system of siphoning off the drained water from under the irrigation canals at the place of crisscrossing may be laid to save water bodies from effluent.

- ◆ In order to save sweet water from contamination, the irrigation department may further be directed to remove all encroachments (houses, slaughter houses, cattle pans) from the banks of irrigation canals all over Sindh as they are directly discharging their effluent in the irrigation canals.
- ◆ The cattle pans, which cause choking of drains and gutters, may not be allowed to be established within the residential areas of the city. The district management of each district may be directed to remove all the cattle pans already established within the residential areas of the city.
- ◆ There is no dumping or landfill site in any of the cities of Sindh to manage solid waste. Solid waste is either being burnt in the open or thrown in irrigation canals or nallahs, or being dumped in make-shift dumping sites and left unattended. Directions may be issued to the Sindh Government to immediately establish such landfills and dumping sites so that healthy environment could be created.
- ◆ At present SEPA's organizational structure is weak and it is mostly concentrated in the few major cities of Sindh. Therefore, it has failed to deliver. For achieving good results and respect of provisions and objectives of The Sindh Environmental Protection Act, 2014, the SEPA needs to be strengthened, re-organized and expanded down to the district level.

SHRC's Plans for Addressing Rights Issues Identified in Visits

Sanitary Workers

The plight of sanitary workers demands a comprehensive legislation dealing with employment contracts, favourable working conditions, and non-discrimination while employing sanitary workers. Sanitary vacancies must not be confined to the minority community. There is also need for nullification of ad-hoc culture in the employment of sanitary workers, life and health insurance and lastly job security. SHRC will work towards organising consultations and consensus on reforms in laws that are needed to ensure compliance with the essence of Articles 9, 11, 24, and 27.

Issue of Education Reforms

The abundance of educational facilities with no quality provision is extremely cost-ineffective and distressing for the local population. A meeting with Education and Literacy Department shall be convened to facilitate better understanding on the challenges in the way of the right to education, as enshrined in Article 25A of the Constitution of the Islamic Republic of Pakistan as well as provided for by the The Sindh Right Of Children To Free And Compulsory Education Act, 2013.

A preliminary research may be conducted about the loopholes obstructing complete implementation of Article 25-A of the Constitution Islamic Republic of Pakistan. With the primary focus on the empirical data, the Commission shall review the entire education framework inclusive of existing statutes, laws, and the actions of the education authorities at multiple levels to identify missing links and activities that lead to the deficits in education service delivery.

Review of the Sindh Health Policy 2005 with Special Focus on the Performance and Capacity of the Existing Apparatus

The performance of the special institutions established for combating communicable and non-communicable diseases shall be reviewed and recommendations may be made after the critical review. The Commission may partner with the Sindh Health Care Commission, Government of Sindh for reviewing the functions of such special institutions that are admittedly not very much successful in achieving the goals set in the Sindh Health Policy, 2005.

Furthermore, perpetual issues of shortage of human resource and facilities may also be holistically reviewed so that effective and long-lasting measures could be recommended to improve public healthcare delivery systems in Sindh.

Issues of District Jail, Naushahro Feroze

The issues raised by the Jail Superintendent District Naushahro Feroze regarding non-allocation of funds for repairs and renovation of District Jail, installation of RO plant , provision of uninterrupted electricity supply and screening of inmates for Hepatitis and HIV shall be put up before the Home Department and Inspector General of Prisons.

What actions are most excellent?
To gladden the heart of a human being,
to feed the hungry, to help the afflicted,
to lighten the sorrow of the sorrowful, and to
remove the wrongs of the injured.

Prophet Muhammad (PBUH)

All labor that uplifts humanity has dignity and
importance and should be undertaken with
painstaking excellence.

Martin Luther King, Jr.

Love and compassion are necessities,
not luxuries. Without them humanity cannot
survive.

Dalai Lama

**Part
5**

**VISIT
TO
JAILS**

ASSESSMENT OF GOVERNMENT FACILITIES

Mr. Muhammad Aslam Shaikh, Member Judicial-II, Sindh Human Rights Commission, assisted by Farzana Khoso, member GBV Committee SHRC, and Sarfaraz Jamali, Superintendent, Complaints & Enquiries SHRC visited five districts of Sindh in March-April 2019. These include Sukkur, Khairpur, Qambar-Shahdadkot, Jacobabad, and Kashmore-Kandhkot. The visits were aimed at undertaking assessment of jail and hospital facilities in these districts, in accordance with the powers of the Commission.

During the course of his visit, Mr Shaikh also met all concerned Deputy Commissioners, Senior Superintendents of Police, Jail Superintendents, social activists, media/press and other government officials.

In this trip, SHRC visited: Central Jail Sukkur, District Jail Qambar Shahdadkot, District Jail Khairpur, Civil Hospital, Jacobabad, and Kashmore-Kandhkot. A brief report of the visit and observations is presented here.

Central Jail, Sukkur

Central Jail, Sukkur was established in 1941, before the independence of Pakistan. The team of the Sindh Human Rights Commission visited Central Jail Sukkur and met with Mr. Liaqat Ali Pirzada, Deputy Superintendent Central Jail Sukkur. According to the Deputy Superintendent there were currently 1,335 inmates against the capacity of 1,666 prisoners in the facility.



Under Trial Prisoners (UTPs) were interviewed during the visit, to inquire about facilities provided to them. SHRC used the jail rules as standards against which UTPs' living conditions were reviewed. The team visited different barracks of the Central Jail, Sukkur. The team also assessed the physical

condition of the jail premises and reviewed the state of facilities. Observations and recommendations from the visits are presented in the later pages.



Sub-Jail, District Qambar-Shahdadkot

The Sindh Human Rights Commission team visited the sub-jail established in 1937. SHRC Judicial Member-II met Assistant Superintendent of Jail, Mr. Fida Hussain and

undertrial prisoners, who were interviewed in detail. The sub-jail of district Qambar-Shahdadkot has a capacity of 100 prisoners. Currently there are nine prisoners in this sub-jail. Six barracks are being constructed at the premises.

District Jail, Khairpur:

The SHRC team visited District Jail Khairpur along with Senior Superintendent of Police Prison, Khairpur Mr. Manzoor Ahmed Siddiqui.

District Jail Prison, Khairpur was established in 1949. The premises consists of 22 barracks and 57 cells. Total capacity of prisoner in district Jail is 1,185. Currently there are 517 undertrial prisoners and 179 convicts.

The team noted six barracks to be in a dilapidated condition. The jail staff informed that the concerned barracks are not in use. Two barracks have been under construction.

During interview and discussion, prison officials informed that there are two higher secondary teachers, two primary teachers and one Molvi appointed by the Home Department, Government of Sindh to teach the prisoners. The Government of Sindh has constructed a two-bed dispensary, which was in a good condition.



Civil Hospital, District Jacobabad:



SHRC team visited Civil Hospital, Jacobabad, for a review of the facility. The visit was planned following a number of media reports on the poor conditions of the hospital.

The team met serving doctors and medical superintendent during the visit. Staff was questioned, a limited number of patients were briefly interviewed, and the hospital rooms and facilities were visited.

The team found the hospital in an unusable condition. The building itself was in a precarious state. One of its rooms, near Hassan Blood Bank, had collapsed. The facility was very unclean. Bikes were parked in the corridor of the hospital. Many rooms were unused and stayed closed.

The Commission also found shortage of medicines and vaccines, especially snake and dog bite vaccines. There were no specialist doctors, nor were there any modern machines. There were no walking paths inside the hospital compound. Patients had to either walk or be driven on an unequal ground, causing them much discomfort.

Observations from visit to jails:

- I. UTPs in all three prisons (Sukkur, Qambar Shahdadkot and Khairpur) were observed to be provided nutritional food and adequate medical facilities;
- II. Sindh Prisons Department recently established a 20-bed hospital in Sukkur Jail. The facility is spacious. However, there is need for an x-ray machine to address any emergencies.
- III. Central Jail Sukkur is in deficit of funds.
- IV. There are no workshops or vocational training centres, for teaching basic vocational skills to the prisoners at any of the prisons. Such facilities can serve the purpose of engaging prisoners in productive activities for their mental and physical health, promoting their skills and talent, and most importantly facilitating their rehabilitation when they are released.
- V. There is no adult education system in Sukkur and Qambar Shahdadkot jails.
- VI. There are no facilities for physical and healthy activities, such as sports, cultural interaction and social activities that may assist in creating a healthy atmosphere.
- VII. Internal roads (connecting barracks) are not constructed. The outer boundary wall work is also incomplete. The Commission was informed that the work on the boundary wall has been stopped since long.

These issues were notified to the concerned authorities in the form of a complete report. The Commission is following up to ensure action to address the gaps identified in the prison facilities.

**Part
6**

RESPONSE

RESPONSE TO PETITIONS AND SUO MOTO NOTICES

The case studies section seeks to provide a glimpse of SHRC's handling of suo moto and petition-filed cases, through summaries and outcomes of select cases taken up in 2018-19.

The Commission's Rules of Business provide detailed protocols on handling of cases, conducting of investigation, taking of action and filing of recommendations. The SoPs also calls for stopping the inquiry procedure for the cases that are taken up by the court at any time during the inquiry process.

The summaries presented in this section may provide a picture of the range of cases received by the Commission, efforts undertaken to respond to them, engagement with government officials to address them and recommendations filed, as per the mandate provided by the Sindh Protection of Human Rights Act 2011.

When a case is filed with the Commission, SHRC undertakes all efforts to engage relevant actors to provide redressal to the victim. This includes engaging police on criminal cases and district administration on civil cases. For certain disputes, SHRC also facilitates dialogue and conciliation process between the concerned parties. A formal letter is issued for action to the concerned department for cases identifying the role of a government agency and official involved in human rights violations. For cases pointing to the need for a policy action, the Commission also engages relevant departments and even parliamentarians by way of correspondence and consultations, since policy interventions are a long-term effort.

The outcomes of each case vary according to the nature of the case. The Commission only closes the case once the victim has submitted in writing that she/he is satisfied with the proceedings and do not wish to pursue the matter any further.

Names have been changed to protect the identity of the complainants.

Case Study 1

Case of Land Scam/Fraud

Nature of Petition: **Complaint Filed by the Victim**

Right violated: **Law of Property**

District: **Karachi**

Time period: **Five months**

The Commission received a complaint from Dr K stating that he had purchased a 120 square yards plot, No 814 in Hassan Brohi Village, West Karachi for Rs165,000 from developer N. The papers suggested that the scheme was a part of the Sindh Gothabad Scheme.

The titling and plotting of the said piece of land was carried out by H State and Welfare Association, which is a plotting agency. They charged Rs 22,500 from Dr K for the process.

When Dr K ran a verification of the plot, it transpired that it was already under the occupation of a person named M.

Dr K then approached SHRC with his complaint about the occupation. The Commission sought documents of the plot and ran a verification with the Mukhtiarkar of the Gothabad scheme. The concerned Mukhtarkiar submitted a report that this scheme is not registered with the government.

Notices were sent to the developer N who appeared in person. He admitted that the scheme was unregistered. He agreed to return the amount paid by Dr K, who also agreed to take his money back. The amount was returned in SHRC's presence.

Even though the complainant has submitted in writing that he is satisfied with the proceeding of the inquiry, SHRC is writing to the Sindh Building Control Authority to take note of the unregistered scheme, and builders and developers misleading the public.

Case Study **2****Case of Child Protection**

Nature of Petition:	Suo moto
Right violated:	Child Protection, The Sindh Prohibition of Corporal Punishment Act, 2016
District:	Dadu
Time period:	Three months

The Sindh Human Rights Commission took suo motu notice on news published in Daily Kawish dated 26-09-18. A 13-year-old boy AM filed a report with the Dadu Police Station accusing his stepfather SJ of torturing him and expelling him from their house.

The matter pertained to the right to shelter of a minor, and the Commission was keen to follow it. A letter was issued to SSP Dadu for a detailed report. When the report was submitted, the Commission found various ambiguities. The report presented AM as a drug addict whose stepfather took the extreme measure of throwing him out of the house due to his habits. The Investigation Officer was asked to appear before the Commission along with the 13-year-old boy and his stepfather.

In November 2018, ASI Dadu Police Station Mr. Muhammad Essa, appeared to present a police report. AM and his stepfather SJ also joined in to record their statements. The 13-year-old boy admitted consuming drugs. His stepfather SJ also accepted in his statement that he used physical punishment to stop his son from pursuing this habit.

The Commission counselled AM to give up drug addiction and suggested linking with addiction rehabilitation centres for the purpose. His stepfather was strictly asked to not raise his hand on the child and take him back into the house. SJ also submitted in writing that he would take his son back into the house and help him with recovery from the addiction. The Commission directed the police to keep a weekly check on the family and submit periodic reports to the Commission. A follow up of the case is being maintained.

Case Study **3****Case of Misuse of Power**Nature of Petition: **Suo Moto**Right violated: **Right to Assembly and Protest (Article 16)**District: **Sukkur**Time period: **Two weeks**

SHRC took suo moto notice of a news report from Sukkur about the arrest of and terrorism charges against 30 people, including a computer operator and cameraperson of news channel KTN and newspaper Kawish.

A notice was sent to the DIG Sukkur Zone, and SSP Khairpur. In their response, the police submitted an FIR was indeed lodged against the concerned individuals. However, following investigation, the case was disposed off in C Class.

The Commission, in their visit to the Sukkur region in March 2019, followed up on the case. A meeting was conducted with the workers of Kawish and KTN. The Commission was informed that the case was registered because the local civil society had organized a demonstration against civic issues in the district. The media was present to cover the demonstration. The police, using high-handedness, booked the protestors, including the media persons, on terrorism charges. Upon the suo moto notice of SHRC that demanded a detailed report from the police, the DIG conducted a departmental inquiry which exposed the high-handedness of the police. The police approached the protestors and the media persons for a dialogue. Following the demand of the media workers and the civil society, they officially withdrew the charges against them.

SHRC is writing a consolidated report to the IG Police, Sindh covering all matters with regard to police's conduct raised in various complaints. This matter will also be highlighted. It is grave misuse of power on police's part to book citizens for exercising their constitutional right to assembly and protest.

Case Study 4

Case of Robbery and Mistrust on Police

Nature of Petition: **Suo moto**

Right violated: **Right to Security of a Person (Article 2)**

District: **Karachi**

The Sindh Human Rights Commission took suo moto notice of news published in Daily Ibrat covering a protest by the traders of the Malir Market, Karachi, blocking the National Highway. According to the report, the demonstration was organized following a massive robbery in the Malir Market, resulting in theft of millions of rupees of cash, mobile phones and other valuables from the market.

The Commission sought a report from the SSP police. In their report, submitted by Sub Divisional Police Officer Bin Qasim, Karachi, the police maintained that following the robbery and subsequent protests, the trader community was offered security, police patrolling and police chowki to ensure police protection of the market. They were asked to lodge a First Information Report as per procedure so that the police may proceed with the case. However, the trader community refused to file an FIR, citing complicated police procedures. Police maintained that they are unable to take up the case unless an FIR is lodged.

SHRC's Recommendations:

In a note sent to the IG Police, Sindh, SHRC highlighted that it is a mark of lost faith in police that prevents citizens from engaging the system and play their role in fighting crime. Despite a massive financial loss, not one person from the Malir Market stepped forward to register a case.

The Commission also noted that under the law, police has the authority to register a case, nominating the state as the party. Yet, police chose to not do that, which reflects abdication of responsibility. Non-action from both police and citizens is leading to suppression of facts and the matter staying uninvestigated.

SHRC recommended the IGP, Sindh to look into the matter and take legal action so that such heinous offenses against citizens can be prevented.

Case Study **5****Case of Discrimination in Promotion of a Public Servant**

Nature of Petition:	Complaint
Right violated:	Equality of Citizens (Article 25 A)
District:	Hyderabad
Time period:	Six months

SHRC took up a complaint filed by Mr D, a member of the Christian community. He has been an employee of the Hyderabad Development Authority since 1998. He complained that he was working as a Complaint Clerk. However, officially his appointment remains that of a “sanitary Jamadar”, which is a junior position. He also stated that he was verbally and informally informed by his peers that people from minority community cannot be appointed as Complaint Clerk. He complained of a delayed response to his repeated applications for promotion.

SHRC issued a notice to MD Hyderabad Development Authority and sought explanation. The Commission was informed that the application of Mr D is already in process. SHRC sent a written note, highlighting the unnecessary delay in responding to Mr D’s application that stood for the violation of Article 27 of the Constitution that pertains to Safeguard Against Discrimination in Services.

Several rounds of exchanges with the HDA were held for a period of six months before Mr D was officially promoted to the post. He submitted in writing that his complaint has been resolved as a result of SHRC’s intervention and he would like to now close the matter.

Case Study **6****Case of Arbitrary Dismissal and Denial of Wages**

Nature of Petition:	Complaint
Right violated:	Promotion of Social and Economic Well Being of the People (Principles of Policy Article 38)
District:	Karachi
Time period:	20 days

Ms R, working as a salesperson for a local cosmetics brand, filed a complaint with the Commission about arbitrary dismissal from her job. She said that her dismissal followed her emergency leave due to a death in the family. According to the Complainant, when she returned from her brief leave, she was told that her services have been terminated.

Surprisingly, while the complainant had been working for the firm for two years, she was never given any appointment letter or even a dismissal letter. She had no document to prove her employment with the firm, including a salary slip.

As a part of resolving the complaint, the Commission had to first work towards acquiring a proof of employment of Ms R. It was important so that when the firm is formally sent a note by the Commission, they could not have any opportunity to deny Ms R's status as an employee. Ms R was advised to acquire a copy of the attendance register maintained at the firm, which documented record of her daily attendance.

On the basis of the attendance record, the firm was sent a note explaining their violation of labour law concerning arbitrary termination, informal/undocumented employment and denial of wages.

The firm responded in writing that they were unable to pay the salary on time due to some issues with their bank accounts. They released a one-month basic salary of Ms R, who accepted it. She maintained that she did not want to pursue the case further as she no longer wishes to work with the firm.

Remarks: Undocumented employment is a common practice in the private sector and stands for violation of workers right. The Commission takes up all complaints of labour laws violation on a priority basis as it directly impact citizens' fundamental rights related to livelihoods, employment, wages and right to association. However, the issue is much broader than a formal complaint. It is a policy and implementation matter and the Commission plans to collaborate with the Labour Department to address related system's deficits.

Case Study **7****Case of Community Boycott and Restrictions on Practice of Religion**

Nature of Petition:	Complaint
Right violated:	Right to Freedom to Profess Religion and to Manage Religious Institutions (Article 20)
District:	Mirpurkhas
Time period:	Three to four months

The Commission received a complaint from Mr VK, member of the Hindu Community. He shared that he and Ms X, both medical professionals, were seeking a marriage with mutual consent. As per local culture, he approached the latter's family for a formal proposal. The family did not agree with the proposal and took the extreme measure of demanding the Hindu Council to bar Mr VK from community activities. The Council obliged and he was barred from participating in community events and meetings. He was also told to refrain from visiting the worship places of the Community.

Upon receiving Mr VK's complaint, the Commission immediately wrote to the Hindu Council, noting that while, under the constitutional guarantee of Freedom of Association, they had the authority to form an organization, the act of forbidding members from participating in religious or social activities is completely violative of fundamental freedoms. Moreover, through such actions, the Council was seeking to become a state within a state, which cannot be allowed.

The community leadership invited him for a dialogue. Following SHRC's letter, the Council withdrew all notices against Mr VK and also engaged Ms X's family to address their reservations against the marriage proposal. They eventually agreed for a marriage. Mr VK sent a note to the Commission thanking for intervention and requested closing of the case.

Case Study 8

Case of Denial of Minimum Wage and Overtime

Nature of Petition:	Suo Moto
Right violated:	Promotion of Social and Economic Well Being of the People (Principles of Policy Article 38)
District:	Tando Allahyar
Time period:	Fifteen Days

Hyderabad-based organisation Rights Now approached SHRC to file a complaint from a group of workers of M Sugar Mills, Tando Allahyar. According to the complainants, they were employed with the M Sugar Mills in various capacities as full-time workers. They were, however, being denied minimum wages and overtime, despite long working hours. They had approached various departments but there had been no response.

Upon receiving the formal complaint, the Commission sent a notice to Deputy Commissioner, who is the Admin Head of the district and entitled to carry out an inquiry.

The Deputy Commissioner conducted an inquiry. As a result of his questioning, the owners of the firm held a dialogue with the workers. The Commission maintained a follow up with the Deputy Commissioner. Two weeks later, the DC informed the Commission that the issue has been resolved and the owners of the mill have agreed to pay minimum wages and overtime to the workers.

The Commission asked the DC to keep a periodic check on M Sugar Mills and report back to the Commission.

Case Study 9

Case of Child Marriage

Nature of Petition: **Suo Moto**
Right violated: **Child Protection and Violation of The Sindh Child Marriage Restraint Act 2013**
District: **Sanghar**

The Sindh Human Rights Commission took suo moto notice of a news published in Daily Kawish, about Sanghar Police's raid on a house, following a report from an informant, about the marriage of a ten-year-old girl, daughter of SA. According to the news report, police raided SA's house and recovered the underage girl, taking her father and a man MA who was reported to be the one seeking marriage with the underage girl. It was reported that at the time of the raid, there was no nikah ceremony taking place. However, there was information that the underage girl was indeed being married off to MA.

SHRC sent an official letter to SSP Sanghar for a detailed report. Initially, an incomplete report was filed with the Commission. SHRC had to direct Information Officer of the case to appear before the Commission along with a detailed police file. The Information Officer Mr. Ghulam Sarwar Khaskeli appeared before the Commission in the first week of August 2018 and shared the report of the investigation.

According to the report, at the time of police's raid, the preparation of marriage was underway. The police was unable to find any evidence of this being a case of marriage for money. Police stated that a case against SA and MA has been registered under Sections 3, 4, 5 of the Sindh Child Marriage Restraint Act.

After completion of the investigation, a challan was presented before the Civil Judge and Judicial Magistrate Khipro.

As the case has been taken up before a Court of Law, the matter is sub judice and out of the ambit of SHRC's interventions for now.

Case Study **10****Case of Sexual Assault**

Nature of Petition: **Suo Moto**

Right violated: **Protection of Women(Criminal Laws Amendment) Act, 2006
(Pertaining to rape)**

District: **Tharparkar**

The Sindh Human Rights Commission took suo motu notice of a news report published in Daily Kawish about the rape of a mentally-challenged orphan girl in Tharparkar area. It was reported that her mother approached the police with a complaint against one SA accusing him of breaking into the house of the family. She further stated that SA was in an inebriated condition and was also accompanied by an accomplice. He molested her daughter. The mother threatened self-immolation if the culprits were not apprehended immediately.

The Commission issued a notice to SSP Tharparkar for a detailed report of the case, followed by a directive to the Information Officer to appear before this Commission. Mr. Muhammad Uras, ASI of PS Kaloi appeared along with a detailed report to submit his statement regarding the case.

After completion of the investigation, the case was presented before the Court. The matter is now sub judice.

Case Study **11****Case of Overuse of Pesticides leading to Poisoning of Vegetables**Nature of Petition: **Suo Moto**Right violated: **Right to Life (Right to an unpolluted environment) (Article 9)**

The Sindh Human Rights Commission took a suo moto notice of a news item in Daily Ibrat reported on October 16, 2018, highlighting the sale of poisonous vegetables in Karachi. The Commission undertook two steps to address the issue:

1. Organise a meeting to seek comments from the Secretary Agriculture and Director Agriculture Extension.
2. Collaborate with the Director Agriculture Extension, Hyderabad to organize a seminar, for a dialogue and discussion with experts, farmers, civil society activists, human rights activists and media personnel to discuss addressing overuse of pesticides.

In a meeting held with the Director Agriculture Mr Rehamuddin Ahmed, in the last week of January 2019, the Department shared that the vegetables are being grown on mixed water that also includes sewage water. However, contrary to the news report, the area concerned in Malir Karachi is less than 600 acres. He also shared that the issue was taken up by the District East Administration. Section 144 was imposed, and the standing crops were destroyed. The move was, however, vehemently opposed by the local growers leading to the development of a law and order situation, forcing the administration to take the order back. In the absence of irrigation water, the growers are still using sewage water.

Agriculture Extension officials also suggested that a water treatment plant be installed in the area to facilitate access to clean drinking water.

In the light of the discussion, it was decided that a broader level seminar, inviting inputs from experts, growers, rights activists and media may facilitate a more broad-based discussion and lead to a more informed range of solutions.

A seminar was organized on February 20, 2019, in Hyderabad to discuss the subject in detail. The seminar was attended by SHRC Chairperson Justice (Retd) Majida Razvi, SHRC Member Judicial-II, Aslam Shaikh, President Sindh Abadgar Board, Haji Abdul Majeed Nizamani, Senior Vice President Chamber of Agriculture, Mr Nabi Bux Sathio, Director General Agriculture Extension Sindh, Mr Hidayatullah Chajiro, and other officers and growers. Based on an in-depth discussion with the stakeholders, following recommendations were outlined:

- ◆ Capacity building and awareness of the Provincial Agriculture Department and the Environment Department through workshops, seminars, documentaries, lectures, and village meetings with peasants, growers, and landlords for focusing upon misuse of fertilisers and pesticides and their hazardous effects on health and environment;

- ◆ Strict ban on re-use of empty bags of fertilizers and pesticide bottles and specific mention on their label warning of poisonous content;
- ◆ Installation of water treatment plant in factories to address the toxic effects of industrial effluents;
- ◆ Revision and update of the Agriculture Pesticide Ordinance 1971 in accordance with the current agricultural practices;
- ◆ Installation of related technology to detect poisonous effects in vegetables so that contaminated vegetables and crops can be identified;
- ◆ Make it obligatory for pesticide companies to provide hand gloves and masks with containers and bottles to be used by farm workers;
- ◆ Make it obligatory for fertilizer companies to provide date of manufacture, expiry, and price on each item;
- ◆ Make it obligatory for pesticides companies to appoint skilled human resource to guide farmers on crop management;
- ◆ Develop or revise related legislation to enhance penalties and imprisonment for individuals and companies involved in malpractices pertaining to pesticides;
- ◆ Increase forestation and mitigation against climate change;
- ◆ Facilitate plant nutrients with urea and DAP;
- ◆ Facilitate regular analysis of soil sample from updated laboratories;
- ◆ Establish crop clinics in every district headquarter level;
- ◆ Mainstream use of good spray machines to farmers through subsidized provision.

The recommendations were submitted to the Chief Secretary's Office and the Agriculture Extension Department, Hyderabad. The two offices have been consistently maintaining a follow up with the District Agriculture Extension Offices, Environment Protection Agency and Agriculture Research office, Government of Sindh.

SHRC plans to continue dialogue with related departments to ensure implementation of the consensus-driven recommendations on the issue.

**Part
7**

CHALLENGES

FUTURE OF THE COMMISSION

I am thankful to Chief Minister Sindh Syed Murad Ali Shah for reposing trust in me and directing me to continue as the Chairperson of the Commission, which has enabled me to present this Annual Report. Our gratitude to the Chief Secretary Mumtaz Ali Shah also, who has extended unconditional support to the Commission. Moreover, Barrister Murtaza Wahab, Advisor to Sindh Chief Minister on Law has been instrumental in facilitating linkages and moving important processes forward.

It is this support and encouragement that has facilitated the Commission to pursue its objective relentlessly. Due to this, we have been able to address close to 900 cases of human rights violations in the province since 2014. This support has also helped us expand our outreach to all parts of Sindh through regular visits, to assess ground situation on human rights, in addition to reviewing jails, public education and healthcare facilities and Darul Amans for women. Apart from reviewing almost a dozen human rights related laws, we have also been able to make useful interventions by way of dialogue, policy review and other enabling mediums.

As most of the rights related cases pertain to police, the Commission has successfully developed an understanding with the police particularly in Gender Based Violence cases. Thanks to an initiative by the IG Sindh, a cell has been set up in CPO which is efficiently working and generating quick response and results.

At the same time, it has been more than six years since the birth of the Sindh Human Rights Commission, yet it faces challenges which at times, I apprehend, are threatening the very existence of the Commission.

On the one hand, we were happy that financially SHRC is better off than before. The Honorable Chief Minister has readily enhanced the Grant in Aid to the Commission. He has also allowed employment of additional staff as per need of the Commission.

However, the procedural requirement for the Commission that compels us to rely on the attached departments for the release of funds has ended up acting as an obstacle. Last year, it took so long for the funds to come through that we could not implement our annual workplan. This year the first tranche was cleared only at the end of the first quarter. This causes distressing delay in the implementation of our workplan and also holds employees' salaries. The bureaucratic procedures also impede moving up of our summaries/requests to the CM office, though the honourable CM always follows up with a speedy response to our pleas. I hope we will be freed from this bureaucratic redtapism soon so that we could work more professionally and effectively to provide timely relief to people.

We await a decision on the opening of regional offices, starting with one in Sukkur. There is a strong demand for district offices so that SHRC is accessible to the larger public. It is normally very taxing and expensive for complainants to personally visit the Commission's office for their complaints, inquiries and hearings. We want to expand our footprints to all parts of Sindh. A set of functional regional offices can better assist the victims of human rights violations through speedy response and timely procedures. We hope that our request will be responded to positively.

**Part
8**

ANNEXURE

**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.

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

Definitions.

(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

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

**Establishment
of the Commission.**

(2) The Commission shall consist of -

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

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

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

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

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

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

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

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

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

PART-III POWERS AND FUNCTIONS OF THE COMMISSION

4. The Commission shall –

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

**Powers and
Functions of the
Commission.**

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

PART-IV MEETINGS OF THE COMMISSION

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

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

(3) Notwithstanding the provisions of sub-section (1), the Chairperson shall convene a meeting of the Commission if three or more members request him in writing and such meeting shall be convened after giving at least seven days notice within a period of not exceeding fifteen days of receipt of such requisition.

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

(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.

Meetings of the Commission.

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

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

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

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

7. The Secretary shall be responsible for -

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

Removal of Chairperson or member.

Powers and Functions of the Secretary.

PART-V FUND, ACCOUNTS AND AUDIT

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

(2) The Fund shall consist of –

- (i) grant-in-aid from Government;
- (ii) endowments, donations and contributions from public;

Fund.

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

PART-VI MISCELLANEOUS

9. Government may require the Commission to furnish to it any document, return, statement statistics or any other information regarding any matter pertaining to the Commission and the Commission shall comply with such requisition.

Returns, statement etc.

10. The Commission may, by general or special order and subject to such conditions as it may impose, delegate to the Chairperson, members or its Officers, any of its powers, duties or functions under this Act or the rules made thereunder.

Delegation of Powers.

11. The Chairperson, members and employees of the Commission shall, while acting or purporting to act under this Act or rules, be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code.

Public Servant.

12. Government may make rules for carrying out the purposes of this Act.

Rules.

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

<p>(iii) mobilize grants from domestic and international, including multi and bilateral agencies approved by Government for meeting any of its obligations or performing its functions;</p> <p>(iv) seek and receive information, data and documents from any provincial source or entity in the course of performance of its functions;</p> <p>(v) call for information or report from Provincial or District Government, civil society organization and autonomous body concerned while inquiring into complaints of violations of human rights;</p> <p>(vi) inspect or visit under intimation to Government and in accordance with the relevant laws and rules, any jail, sub-jail or other places of custody where innocent citizens are kept, detained and admitted for treatment, reformation or protection, and to see the living conditions of the inmates and to make appropriate recommendations to the authorities concerned;</p> <p>(vii) appoint advisors, consultants and experts, if necessary, with the approval of Government.</p>	
<p>5. All business of the Commission shall be disposed of in a meeting which may be held in accordance with the provisions herein contained</p>	Transaction of meeting Business
<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>	Meetings
<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>	Notice of meeting
<p>8. (1) The agenda for a meeting shall be prepared by the Secretary with the approval of the Chairperson.</p> <p>(2) The agenda for an ordinary meeting shall be prepared in the following order:-</p> <p>(a) confirmation of the minutes of the previous meeting;</p> <p>(b) all matters deferred in previous meeting including directions of Government, if any; .</p> <p>(c) reports of the committee or sub-committee;</p> <p>(d) any other business with the permission of the Chair.</p> <p>(3) The agenda for special meeting shall be prepared in the following order:-</p> <p>(a) consideration of the matter for which the meeting has been convened;</p> <p>(b) any other business approved by the Chairperson;</p> <p>(4) Subject to the availability and the orders of the Chairperson, the members shall be provided copies of documents or information relating to the matters on agenda</p>	Agenda

<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>(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>Powers and Functions of the Chairperson</p>
<p>12. The Members of the Commission shall have following powers and functions:-</p> <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>Functions of the Members</p>
<p>13. Subject to the provisions of the Act, the Secretary shall have the following powers and functions :-</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>Functions of the Secretary of the Commission</p>
<p>14. The Commission may co-opt any person expert or advisor to attend a meeting, if need be, but he shall not be entitled to vote.</p>	<p>Commission to co-opt expert or advisor</p>

<p>15. (1)The quorum for a meeting of the Commission shall be four members.</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 Government for action.</p>	Quorum
<p>16. (1)All matters in the agenda shall be decided by the majority of votes of the members present in the meeting.</p> <p>(2) The voting shall be by show of hands.</p> <p>(3) The result of the voting shall be declared after the voting by the Chairperson and such declaration shall be final and conclusive.</p> <p>(4) In the case of an equality of votes, the Chairperson or member presiding a meeting shall have a casting vote.</p>	Decision
<p>17. (1) Minutes of the proceedings of each meeting shall be drawn up by the Secretary.</p> <p>(2) The minutes shall comprise of, the names of members present at the meeting and the number of items brief notes and decisions taken.</p> <p>(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.</p> <p>(4) A copy of the minutes of the proceedings of each meeting duly confirmed shall be recorded in a minute's book maintained for the purpose.</p>	Minutes of the Proceedings
<p>18. (1)The Commission may appoint such number of committees and sub-committees as may appear to it, to be necessary for technical and other advice on matters referred to it, such as –</p> <p>(a) experts on human rights;</p> <p>(b) liaising and networking between Commission, Government Departments and stakeholders;</p> <p>(c) budget and finance.</p> <p>(2) The business of every committee and sub-committee shall be conducted in such manner as it may decide.</p> <p>(3) Every committee or sub-committee shall be headed by one of the Members appointed by the Chairperson.</p> <p>(4) The Member, so appointed shall preside the meeting of the committee.</p> <p>(5) The proceedings or report of the committee or sub-committee shall be submitted to the Chairperson as early as possible for placing it before the Commission.</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>	Appointment of Committees and Sub-committees

<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>(2) The Secretary shall be responsible for day to day affairs of the Commission and shall perform such functions as may be assigned to him by the Commission or Chairperson</p>	<p>Correspondence to be conducted by the Chairperson through Secretary</p>
<p>20. The members of the committee or sub-committee shall be honorary members and shall not be paid any remuneration except the expenditures which may include travelling, boarding and lodging costs, their rates may be determined by the Commission.</p>	<p>Remuneration for committee or sub-committee.</p>
<p>21. (1) All petitions, applications, emails, faxes, suo-moto notice or telephonic information addressed or communicated made to the Commission, its Chairperson, members or Secretary either by name or designation shall be entertained and registered by the Commission in the register meant for the purpose.</p> <p>(2) A register shall be maintained by the Commission for entering in, serial wise, the petition, application, communication and suo-moto notice and shall be placed before the Chairperson or Members for preliminary consideration, as expeditiously as possible but not later than three days from the date of its receipt. Provided that the petition, application, communication or suo-moto notice which requires urgent consideration shall be placed before the Chairperson as far as possible within twenty four hours of its receipt.</p> <p>(3) No fee shall be chargeable on such petitions, applications, or other communications.</p> <p>(4) The petition, application or other communication shall disclose the facts leading to the violation of human rights.</p> <p>(5) The Chairperson or Members may issue notice to victim, applicant or petitioner for personal hearing or to any other person who in the opinion of the Chairperson or Members should be heard for appropriate disposal of the matter.</p> <p>(6) The Commission may seek further information or affidavit as may be considered necessary.</p> <p>(7) The Commission upon consideration of the report and personal hearing of applicant, petitioner and victim shall call comments from the concerned authority, institution or department and thereafter recommend the Government remedial measures including action to be taken against the person involved in the violation of human rights.</p>	<p>Petitions, applications and other communications.</p>
<p>22. The Commission may dismiss in-limine the petition, application or other communication of the following nature:-</p> <p>(i) illegal</p> <p>(ii) vague, anonymous, pseudonymous;</p> <p>(iii) allegations do not make out any specific violation of human rights;</p> <p>(iv) matter is sub-judice before court or tribunal;</p> <p>(v) the matter is outside the purview of the Commission on any other grounds.</p>	<p>Dismissal of petition, application or other communication</p>

<p>23. (1) Each member shall be assisted by the Registrar or any officer authorized in this behalf, when member takes up for consideration the case assigned to him or her for final disposal. It shall be the duty of the Registrar or authorized officer to study and present the cases and render such other assistance as may be required for consideration and disposal of the cases.</p> <p>(2) If on consideration of the petition or application, the Commission dismisses the petition or application in-limine, the said order shall be communicated to the petitioner or applicant and the case shall be treated as closed.</p> <p>(3) If on consideration of the petition, application, other communication or suo-moto notice, the Commission admits and directs issuance of notice to any authority calling upon it to furnish information or report or comments, a notice shall be issued enclosing copy of the application, petition or other communication and notice shall be signed by the Registrar.</p> <p>(4) On receipt of the information or report or comments called for, a detailed note in the form of a synopsis shall be prepared or caused to be prepared by the Registrar or authorized officer, whereupon the case shall be treated as ready for being placed before the Commission for final disposal.</p> <p>(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>Disposal of other petitions, applications and suo-moto actions</p>
<p>24. (1) The records of all cases finally disposed of shall be transmitted to the Record Section after completing the entries in the register with regard to each such case.</p> <p>(2) Unless otherwise directed by the Chairperson, the entire records of disposed of cases shall be destroyed after the expiry of a period of two years from the date of final disposal. However, register containing detailed information regarding such cases shall be retained permanently.</p>	<p>Transmission of records</p>

MIR MUHAMMAD SHAIKH
LAW SECRETARY

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

A copy is forwarded for information to:-

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

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

EXTRAORDINARY

Registered No. M324



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PART-I

GOVERNMENT OF SINDH
LAW, PARLIAMENTARY AFFAIRS AND
HUMAN RIGHTS DEPARTMENT
Karachi dated the May, 2014

NOTIFICATION

NO.S.Reg.4(12)2013:- In exercise of the powers conferred by section 12 read with sub-section (7) of section 3 of the Sindh Protection of Human Rights Act, 2011 the Government of Sindh are pleased to make the following rules:-

1. (1) These rules may be called the Sindh Human Rights Commission (Chairperson and Members) Condition of Service Rules, 2014. Short title and commencement.
- (2) They shall come into force at once.
2. In these rules, unless there is anything repugnant in the subject or context - Definitions.
 - (a) "Chairperson" means the Chairperson of the Commission;
 - (b) "Full time Member" means Members appointed by Government who have been District and Sessions Judges or Additional District and Sessions Judges;
 - (c) "Member" includes full-time and honorary Member of the Commission;
 - (d) "Schedule" means Schedule to these rules.
3. (1) The Chairperson and full-time Members shall be entitled to pay allowances and perquisites as specified in the Schedule. Pay, allowances and perquisites of Chairperson and Members.
- (2) The honorary Members of the Commission shall be entitled to receive rupees forty thousand per month as honorarium and the expenditures which may include travelling, boarding and lodging costs, their rates may be determined by the Commission.

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3. The service as Chairperson or Member shall not, except Pension, where he was immediately before his appointment as such in the service of Pakistan, qualify for pension.
4. The Chairperson or full time Member shall be entitled Leave to leave as admissible to the civil servants under the Sindh Civil Servants (Leave) Rules, 1986 as amended from time to time.
5. The Chairperson or full time Members shall be entitled Medical facilities to the medical facilities admissible under the Sindh Civil Servants (Medical Attendance) Rules, 1993 as amended from time to time.

Karachi: Printed at the Sindh Government Press
30-05-2014

MIR MUHAMMED SHAIKH
SECRETARY TO GOVT. OF SINDH
LAW DEPARTMENT

YEAR IN IMAGES



Ms Cindy Berman and Mr Ben Rutledge of Ethical Trading Initiative, UK and Ms Farhat Fatima of PILER called on SHRC Chairperson at the Commission's Office. Ethical Trading Initiative, UK works on promoting responsible business.



Meeting with Australian Delegation comprising Ms Sherman Stone (Ambassador for Women and Girls), Mr Brek Batley (Deputy High Commission, Islamabad) and Ms Hannah Birks (Second Secretary, Australian High Commission, Islamabad).



Mr Abid Niaz Khan, National Programme Officer, International Labour Organisation and Ms Miranda Fajerman, International Labour Standards Specialists called on SHRC Chairperson.



Chairperson SHRC Justice (Retd) Majida Rizvi along with Chairperson Provincial Commission on the Status of Women Ms Nuzhat Shirin at Sindh Convention organized by the Sindh Human Rights Defenders in Hyderabad.



Local youth and influencers community from Punjab and various parts of Sindh visited the Commission in a meeting curated by a group of social organisations in November 2018.



Meeting of Human Rights Committee at the Sindh Human Rights Commission Conference Room.



Legal and Human Rights Expert Ms Maliha Zia and Lawyer Sara Malkani in a meeting with the Commission to discuss gender-based legislation.



Superintendent Complaints (Enquiries & suo motu) engaging with the Community affected by tribal conflicts in Naparkot, District Shikarpur.



Judicial Member-II SHRC Aslam Shalkh and SHRC team during a visit to Khairpur Jail.



Meeting to review Sindh Home Based Workers Act.



Minorities Day Celebrated by Sami Foundation on August, 2018.



UN Women team held a meeting with SHRC team in Karachi.



Leadership of Rawadari Tehreek visited Sindh Human Rights Commission for an exchange on religious tolerance and peace.



SHRC participated in "Policy Dialogue on Water and Women" at Mehran University in August 2018.



Meeting to discuss upgrading of database management of SHRC.



Syed Hassan Shah Bukhari (Member SHRC) visit of Thatta Jail.



Sindh Human Rights Commission

**Room Nos: 407-408, 414-416, Old KDA Building No 03,
Sindh Secretariat, Kamal Ata Turk Road, Karachi, 74200, Pakistan**

Email: shrc.gos@gmail.com

Tel: 021-99217318, Fax: 021-99217317

Website: www.shrc.org.pk