



# Sindh Human Rights Commission

Government of Sindh



ANNUAL  
**REPORT**  
2019-20



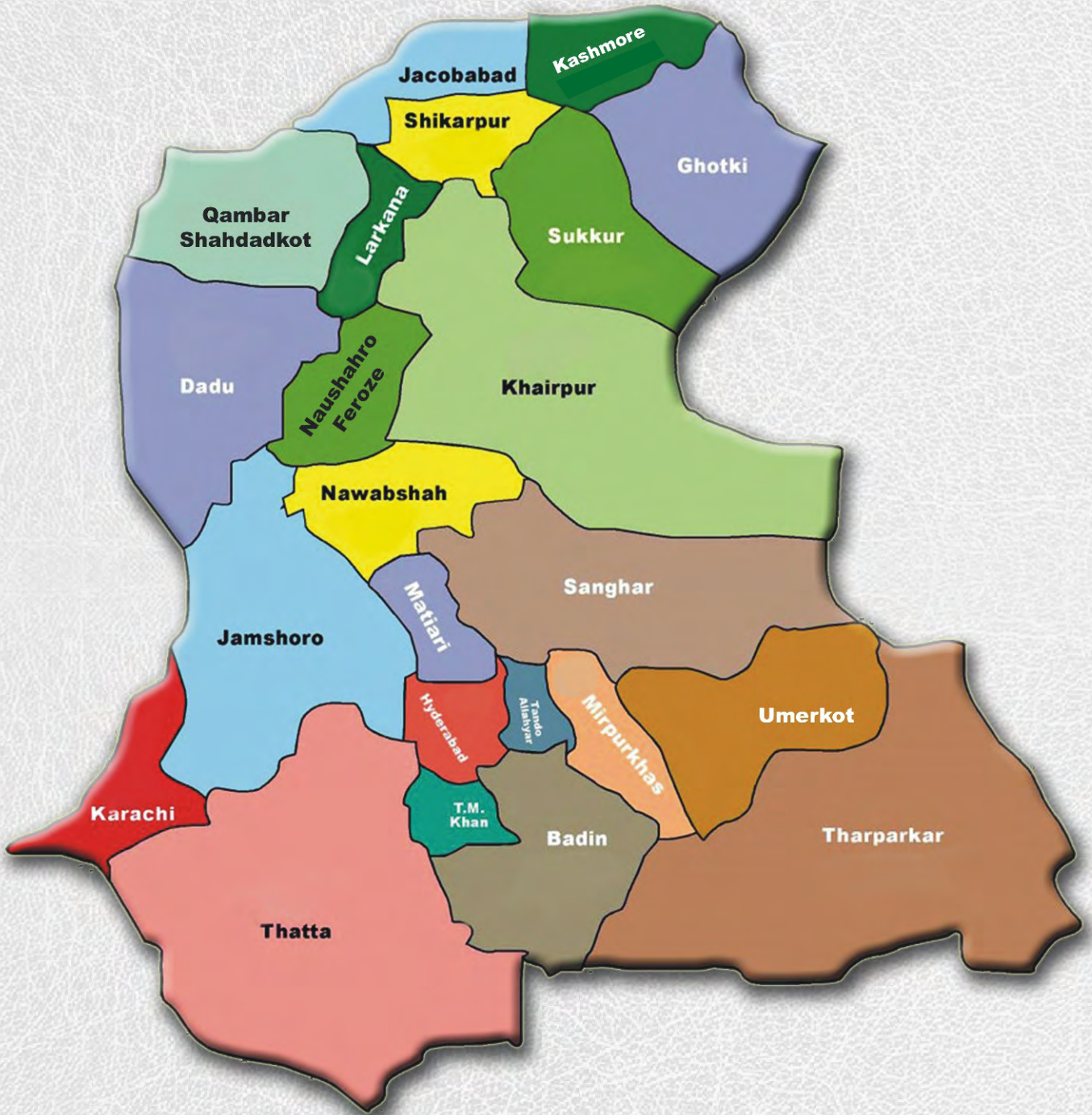
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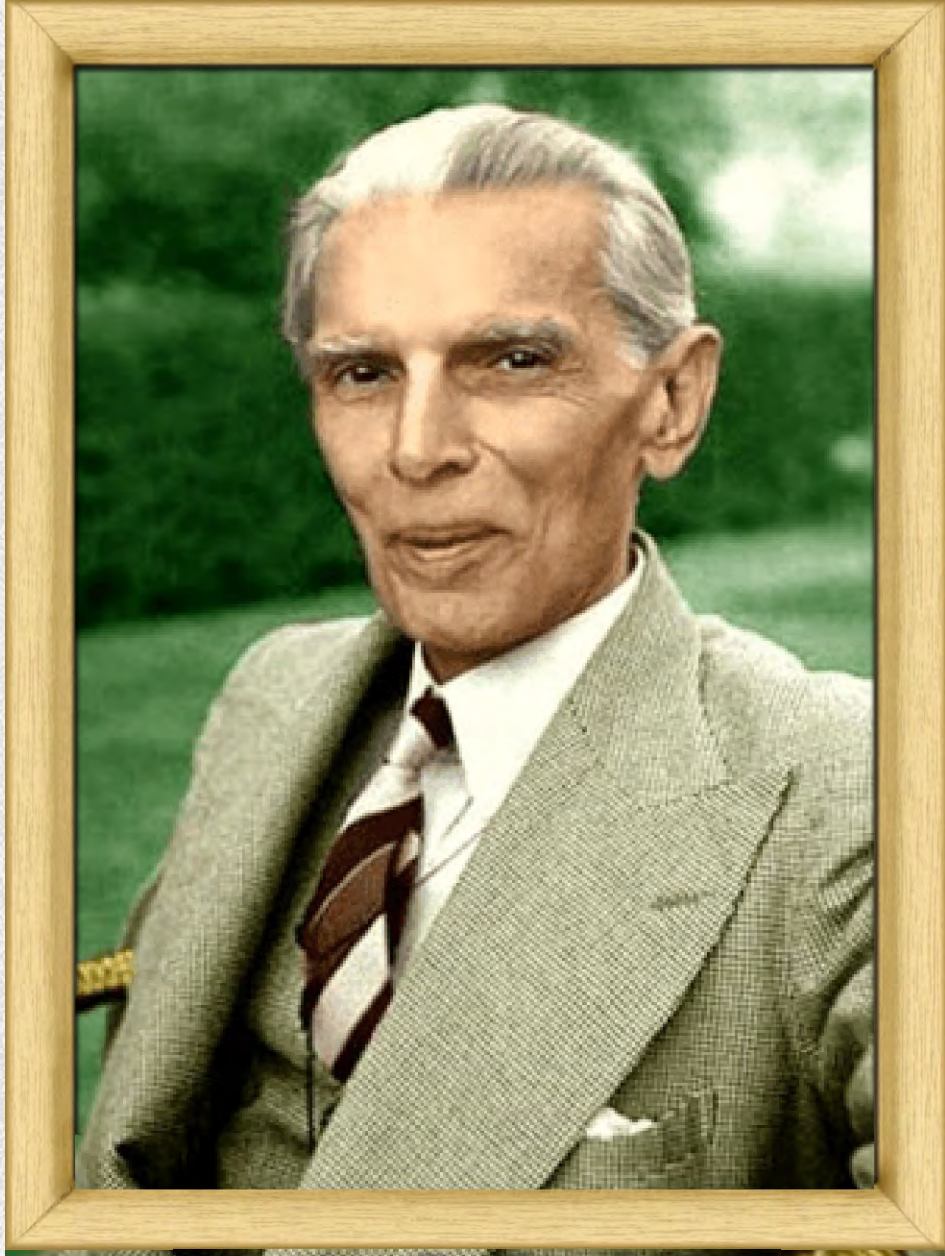


# Map of Sindh Province



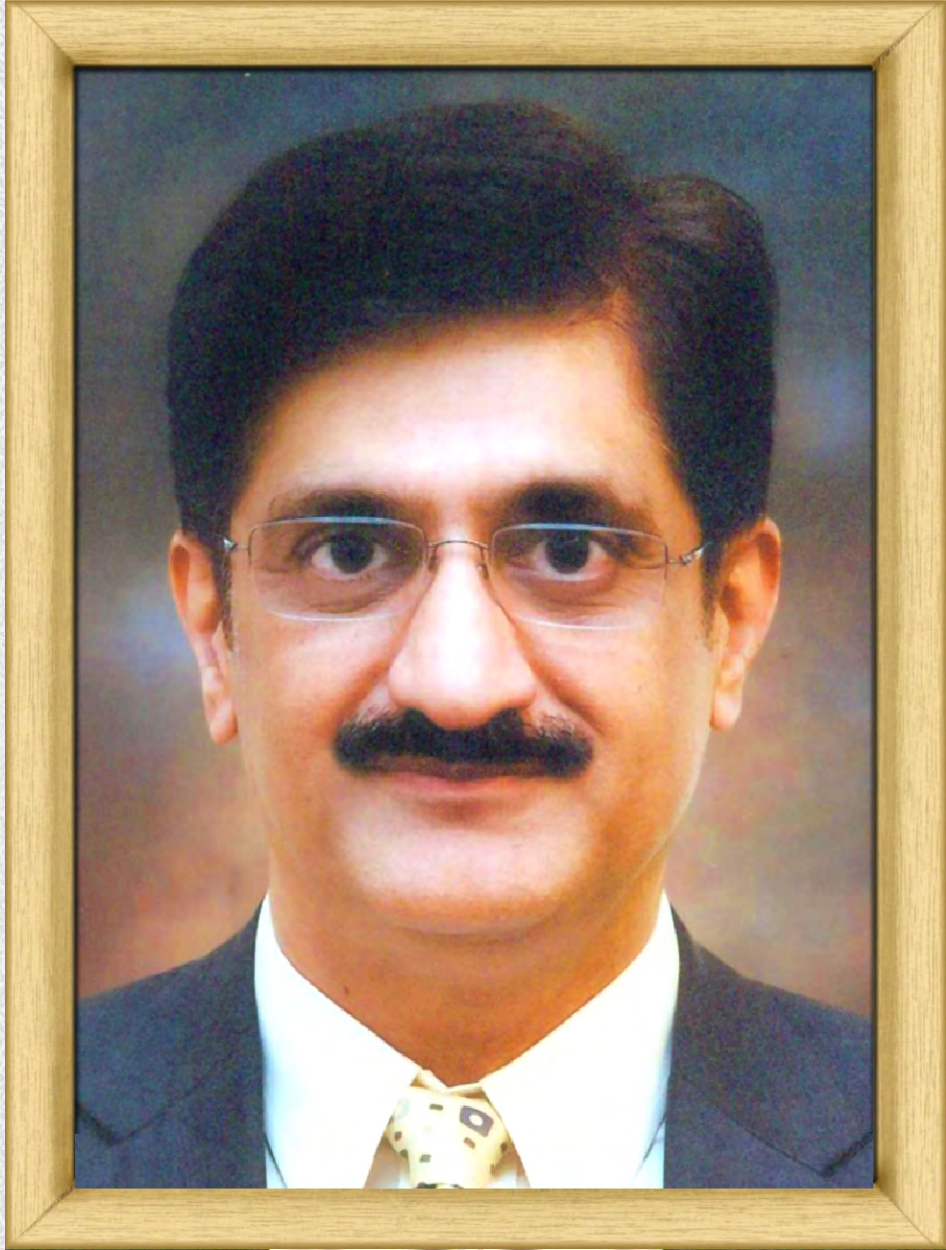


# Founder of Pakistan



Quaid-e-Azam Muhammad Ali Jinnah





**Syed Murad Ali Shah**

Chief Minister Sindh







**Justice (Retd) Majida Razvi**

Chairperson, Sindh Human Rights Commission



## Dedication

The Sindh Human Rights Commission wishes to dedicate this report to Mr Ibn Abdur Rehman - lovingly called IA Rehman, a friend of SHRC who passed away on April 12, 2021.



Mr IA Rehman was a humanist, an uncompromising advocate of human rights of every individual, and a powerful voice of the marginalised. Despite being a giant in his field and an intellectual of the highest caliber, IA Rehman was a down-to-earth and accessible person. He was a guiding light for human rights advocates of all ages and backgrounds. It was his guidance and prolific work that inspired generations of activists, and led to the establishment of powerful institutions and initiatives on human rights in the country. As a staunch supporter of human rights institutions, IA Rehman always guided the Sindh Human Rights Commission with his wisdom and advice. He would read our reports thoroughly, point out our mistakes like a kind teacher, and advise us on how to add value to our work. He wrote an article for our earlier annual report. This year too, we were working to get an article from him. However, we are devastated that we are now writing his obituary.

As followers of IA Rehman, we commit to draw from his guidance and values, and continue to work dedicatedly to promote and protect human rights of all to the best of our abilities.

## Abbreviations

<b>AC</b>	Assistant Commissioner
<b>ASI</b>	Assistant Sub-Inspector of Police
<b>CM</b>	Chief Minister
<b>CPO</b>	Central Police Office
<b>DC</b>	Deputy Commissioner
<b>GOS</b>	Government of Sindh
<b>HRDs</b>	Human Rights Defenders
<b>IG</b>	Inspector General Police
<b>ILO</b>	International Labour Organisation
<b>MPA</b>	Member Provincial Assembly
<b>NCHR</b>	National Commission for Human Rights
<b>PRO</b>	Public Relations Officer
<b>PS</b>	Police Station
<b>Retd</b>	Retired
<b>RO Plant</b>	Reverse Osmosis Plant
<b>SCSW</b>	Sindh Commission on the Status of Women
<b>SHRC</b>	Sindh Human Rights Commission
<b>SMS</b>	Short Messaging Service
<b>SSP</b>	Senior Superintendent Police
<b>SZABIST</b>	Shaheed Zulfiqar Ali Bhutto Institute of Science and Technology
<b>UN</b>	United Nations

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## Messages



**Syed Murad Ali Shah**  
Chief Minister Sindh

The Government of Sindh recognises and regards the Sindh Human Rights Commission as an independent institution. The Sindh Human Rights Commission is of salience in the advancement of human rights related reforms and agendas in the province of Sindh.

The principles of human rights remain a guiding force behind the Sindh Government's public policies and measures. These principles shaped and informed the government's response to the recent coronavirus pandemic.

The Covid-19 pandemic gave way to an unprecedented health emergency across the world. Albeit the Sindh Government's efforts to fight the pandemic and its efforts to protect the people of the province - which have been lauded nationally and internationally - we realised the significance of functional and responsive systems that could assist the public in times of emergencies.

For years we have placed great emphasis on establishing functional human rights systems through dedicated commissions such as the Sindh Human Rights Commission, the Sindh Commission on the Status of Women, the Sindh Information Commission and the Sindh Healthcare Commission, among many others. We see these Commissions performing functions manifolds, that is resolving public grievances and assisting the Sindh Government in human rights related policies and their implementations. A socio-economic and political system, counselled over the fundamentals of human rights, has a greater potential in building capacity of the public to deal with humanitarian crisis as extraordinary as witnessed during Covid-19. In addition, such systems also bring public's voice to the government, which is critical for a functional democracy.

We, therefore, urge the Sindh Human Rights Commission to continue its role as an independent commission that protects the public when their rights are in peril, whether that is due to the actions of an individual, a community or any gaps in the government systems. We also hope the Commission will use its mandate to create openings for effective implementation of rights-related laws enacted by the Sindh Government over the years.

## Messages



**Mumtaz Ali Shah**  
Chief Secretary Sindh

Projection of human rights is not only essential but also fundamental prerequisite for creating an inclusive and just society. The Government of Sindh established Sindh Human Rights Commission with the objective to ensure such protection and to create an environment where everyone takes responsibility or promoting and protecting human rights, where everyone is valued and treated with equal dignity and respect and where everyone's human rights are a reality as guaranteed by law and injunctions of Islam.

We are passing through times due to ongoing pandemic of Covid-19, therefore there is a stronger understanding that effective public service committed to protecting lives, health, livelihoods and rights to the people is fundamental for the future of the province.

The Sindh Human Rights Commission is also mandated to look into human rights issues faced by the people of Sindh and to resolve them in an efficient and timely manner. However, despite less resources, the Commission has done commendable job and has investigated and compiled reports on multiple human rights issues like rights of minorities, issues of journalists, women rights, child abuse cases etc. The commission's contribution to review laws and policies from the perspective of human rights and to bring improvements in existing laws and legislation has been impressive by any standards.

In the end, I would like to commend the Commission and appreciate their efforts for giving a holistic human rights perspectives to governance structure, policy advice and review of laws and for their consistent efforts to uphold and protect human rights in the province. My best wishes for SHRC for realization and strengthening of human rights for all.



## Messages

**Barrister Murtaza Wahab**  
Advisor to Chief Minister Sindh on Law, Environment,  
Climate Change & Coastal Development



The Sindh Government's public service agenda is driven by a rights-based ethos rooted in the values of equality and dignity. We believe citizens can only reap the benefits of a democracy if they have equality of status, equality of access to services and find their voice and aspirations reflected in governmental policies and actions.

Following this principle, we deem the work of the Sindh Human Rights Commission critical in helping us realise our vision of a rights-based edifice where citizens' grievances are viewed and assessed employing a human rights prism. Thereof, solutions are also generated using human rights as the fundamental value. The effort is slowly, but effectively, contributing to reforming government systems along human rights principles.

Independent national human rights institutions are a critical requirement under the Paris Principles and Pakistan's GSP+ commitments. Sindh is the only province that has demonstrated a dedicated compliance to these obligations. The Provincial Assembly of Sindh has played a leading role in terms of human rights legislation. However, for public to benefit from these systems, we will have to continue promoting institutions, forums and spaces for citizens to participate in governance processes and structures. The Sindh Human Rights Commission can contribute here by generating the necessary knowledge, capacities and discourse to help us develop our legislative and policy actions in line with our human rights commitments.

## Messages



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

We are pleased to present the Annual Report 2019-2020 of the Sindh Human Rights Commission. Sharing our work with the public through annual reports is an important exercise in reflecting on our own work and reminding of the journey ahead.

This year's biggest challenge has been Covid-19. The pandemic unfolded health emergency and a traumatic series of social and economic losses. In Sindh, as in other provinces, the impact of the medical emergency, the lockdown, and the resultant loss in economic activity remained pronounced for the low-income, vulnerable communities. According to a recent survey by the Pakistan Bureau of Statistics, 56% of households in Sindh reported an impact on their livelihoods due to the pandemic. We noticed several trends including an increase in the number of complaints on labour rights violations, domestic violence and mental health during the pandemic.

The Sindh Human Rights Commission continued its work in the pandemic, following all SOPs and health guidelines announced by the Government. The Commission established a system to respond to public complaints and moved to online forums for stakeholders outreach. With the announcement of the lifting of the lockdown, we resumed office full time and continued our daily work, while following all protocols to protect our staff and visitors at the office. Post lockdown, we have been cautious in organising public activities and stress upon following SOPs in our outreach efforts.

The Commission recently opened its first sub-office in Sukkur, responding to a long-standing demand by the public and the civil society for expanding local infrastructure, so that complainants do not have to come to the Karachi office for inquiries and hearings. The Sukkur office shall be working under the Karachi office, with a system of speedy response and follow up of cases. We are currently in the process of organising trainings and capacity building of the Sukkur office staff so that they are able to play their role of frontline actors in human rights protection at the grassroots level. We are grateful to the Chief Minister Sindh Syed Murad Ali Shah and the Chief Secretary Mumtaz Ali Shah for their support to set up the Sukkur office. We pledge to continue to expand our footprints across all districts of Sindh to realise our goal for establishing accessible grievance mechanisms on human rights violations.

While we expand our wings, we continue to press for more empowerment and authority. We believe this is the only way we will be able to serve on our mandate to protect human rights to the fullest. Under the existing structure, the Commission's role is that of a recommendatory body. We have no way of ensuring that our recommendations — developed through extensive investigation, research and

consultations — has any uptake in the government department. At times, we find no acknowledgement of receipt of our recommendations sent to government departments against whom rights violations complaints are filed. Moreover, the Sindh Protection of Human Rights Act 2011 Act also offers no provision for us to turn to an authority in case of lack of action on our recommendations by any department. There is, therefore, a critical need to revisit the current law and make necessary amendments so that we could provide more effective solutions to public grievances on rights violations.

We would also urge the Sindh Government to take note of our recommendation to amend the laws pertaining to harassment at workplace. In the past two years, SHRC has noted a growing trend of complaints about workplace intimidation and bullying, filed by both male and female workers from a variety of sectors. The accused are mostly supervisors or those in powerful positions. We have noted that the existing law “Protection against Harassment of Women at the Workplace Act 2010”, though commendable, has limited application in such cases since the alleged actions are not necessarily sexual in nature. We, therefore, believe that a serious review of the existing laws and introduction of new provisions for workplace safety, and physical and mental protection is extremely critical. We hope the Government of Sindh would respond to our recommendations.

In the past one year, we have focused on strengthening our complaints handling capacities. Since 2019, we have inducted more human resource and expanded our office space to cater to the growing number of complainants visiting our office for inquiries. In addition, reviews of legislation and policy implementation, and public awareness has been a constant agenda. However, we are equally focused on items of strategic value. With the growing number of commissions and authorities tasked to address human rights violations, human rights of women, healthcare and public safety, among others, SHRC has started a series of consultations to facilitate greater collaboration and develop mechanisms to avoid duplication and promote improved efficiency in response.

As SHRC turns eight years old in 2021, we have come a long way in terms of experiences and learnings. One important realisation is the value of growing awareness and active citizenship in Sindh. Common public aspires for better life, improved services, social and economic wellbeing, and a promising future. We believe that incorporating the fundamentals of human rights in legislation, policy making, and service delivery is critical to ensuring public aspirations are met and honoured by the Government. On our part, the SHRC shall continue to strive for mechanisms to check rights violations and promote human rights safeguards, using its mandate and powers.

## Messages

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



The Sindh Human Rights Commission continues its mission of working at the community, institutional and structural levels to promote and protect human rights. Our mandate, particularly our functions of inquiry into cases of rights violations, allows us to drive processes that could deliver relief to the public aggrieved by rights violations.

With consistency and expansion, we have grown to a position where the number of complaints of rights violations registered with us have risen manifold. People have high expectations from the Commission, and they reach out to us for resolution of everyday challenges in accessing their rights and entitlements.

I do believe that with all the limitations, there are strong set of laws in the province of Sindh that allow much relief to the common citizens, if implemented with all honesty and sincerity of purpose. Over the years, we have also found the government departments becoming more responsive to public grievances, extending all necessary support to provide relief to the public.

At SHRC, it is our firm belief that the public would benefit only when they get justice at their doorstep. Therefore, our expansion to establish offices in other parts of the province is critical to ensuring that citizens from remote areas of the province do not have to invest energy and resources to reach out to the Commission to take up their grievances. We hope that with time, we will receive government support to establish offices across all districts of the province.

Apart from our mandate to hold inquiry in rights violation cases involving government officials, and presenting recommendations to the government, we also seek inter-departmental coordination to resolve grievances where such an approach is applicable. We feel that this approach is helping, as there is always space in the law to provide relief to the public.

Expansion in staff capacity and availability of necessary resources is critical as we set out to respond to the growing number of cases. Moreover, investment in raising public awareness on human rights, and related laws and institutions may go on to contribute to greater public mobilisation for the cause of human rights.

## Messages

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



The Sindh Human Rights Commission plays a significant role by way of its functions of protecting and promoting human rights. In the last eight years, the Commission has taken up hundreds of complaints on human rights violations, and used its mandate to provide relief to the public through engaging relevant departments, recommending actions, and maintaining strong follow-ups.

Alongside, the SHRC has assisted the public in approaching the competent forums and availing assistance and relief from concerned authorities. This year, the Commission is extending its infrastructure and presence to other regions of Sindh, starting with the establishment of an office in the Sukkur/Larkana zone.

In its last eight years, the Commission has contributed to a pro-rights environment, while also installing necessary mechanisms for greater public accessibility. Members public can avail the Commission without the need for hiring a lawyer or using any intermediaries. Our doors are always open for the public and we make every effort to respond to public grievances at our earliest.

As the Commission expands its operations and takes on more cases, it would be useful to revisit the mandate of the Commission so that the public could find more effective recourse for their grievances on human rights violations. The Commission has a recommendatory role which, at times, limits our effort for protection of rights, particularly when the complainants are under grave threat of violence. The public would benefit from the Commission's work to a greater extent if the Commission's mandate can also incorporate steps towards directing the concerned officials for action.

The province of Sindh is known for its tolerance and progressive values. Socio economic development of the province can only be realised when people's rights and access to fundamental services are ensured. Following the commitment of the Government of Sindh to improve the day-to-day lives of citizens, the SHRC shall continue to strive for effective systems to promote and protect human rights in the province.



# 1

## Section

## 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



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

## Sindh Human Rights Commission Members

(Continued from previous page)



**Ms Kulsoom Akhtar Chandio**

Member Provincial Assembly



**Ms Farhat Seemen Soomro**

Member Provincial Assembly



**Ms Pushpa Kumari**

Civil Society & Minority Rights Activist



**Mr Zulfiqar Shah**

Human Rights & Civil Society Activist



## Introduction

The Sindh Human Rights Commission completes its eight years as an autonomous institution dedicated to human rights protection and promotion. The Commission's growth in all these years is reflected in its expanding capacity, growing practice of reporting on human rights violations, successive collaborations to engage stakeholders on human rights, and multi-stakeholders dialogue on advancing discourse on rights.

Human rights challenges in Sindh are reflected in violence, particularly violence against women, conflicts, poverty, labour rights deficits, inadequate access to political and economic rights, and insufficient social development opportunities such as education, healthcare and livelihoods. Recent years have also registered an increase in cases of attacks on religious minorities, indicating growing religious intolerance.

The Sindh Human Rights Commission's mandate and powers have been designed to facilitate recourse to violations of human rights. Alongside, the Commission's powers also allow for proactive measures such as review of laws and safeguards, public awareness campaigns, engagement with stakeholders and propose measures to implement international treaties ratified by Pakistan.

On a day-to-day basis, however, the Commission deems its function of addressing human rights violations through public complaints or suo moto notices - as the most important of responsibilities. Two members of the Commission, Members Judicial I and II, are dedicated to investigating and conducting inquiries into the rights violation cases. People from rural and urban areas of Sindh file these complaints which are admissible even if received through Pakistan Post, SMS, email, or word of mouth. There is no requirement of literacy or legal paperwork. The Commission's staff assists those who need help with writing the complaints. In addition, the Commission also takes suo moto notices on human rights violations. The Commission's action on the complaints/suo moto notices are based on the nature of the case and the outcomes of the inquiry. While, as per mandate, recommendations are filed with relevant government departments for all cases received, the Commission also makes an effort to reach out to concerned departments to address grievances of resolvable nature. The Commission's collaboration with the police is of particular significance as complaints of criminal nature are forwarded to police. These complaints are followed up with prompt action.

SHRC also receives complaints of civil nature, mostly pertaining to access to social services, dysfunctional systems, poor healthcare and education institutions and property disputes. In recent years, complaints filed by women mostly pertain to domestic violence, threat of honour killing, child custody, and denial of property share. With the outbreak of Covid-19, the commission noted a 20%

**In the last eight years, SHRC has visited all districts of Sindh twice over. The uptake of cases has increased manifold.**

increase in labour rights violation cases, related to abrupt layoffs and denial of wages.

As a part of its mandate on stakeholder consultation and public outreach over human rights matters, this year, SHRC organised discussion sessions on honour killings, role of commissions and statutory bodies in preserving fundamental human rights and a session with the UN Rapporteur for Human Rights Defenders. The Commission managed to organise awareness sessions in at least three districts (Baghal Bhanbore, Matiari and Ghotki), and undertook visits to at least eight districts covering local hospitals, jails, and outreach sessions with district courts, district officers and civil society. Following Covid-19 induced lockdown, the Commission moved to online forums for communication and stakeholders exchange.

In the last eight years, SHRC has visited all districts of Sindh twice over. The uptake of cases has increased manifold. The office space has been expanded and a sub-office has recently been set up in Sukkur. The Commission has collaborated with the civil society over rights violations complaints, public outreach, and consultations over protection of human rights. The Commission is also ably assisted by members Commission from the Provincial Assembly and the civil society, that advise and take up the Commission's agenda at various forums.

Over the years, a slow change has been witnessed on rights violations situation in Sindh. In our visits and public outreach campaigns, we note a more informed public that is keen to mobilise and engage systems for redressal of their grievances. They have aspirations for safety, security and socio-economic development. We have also noted more interest on the part of the population of the rural and less-developed areas that are standing up against rights violations and demanding better rule of law, development and services from the state.

There is no doubt that human rights are absolutely essential for any society to achieve its full potential. Moreover, good governance, democracy, an active and enabled civil society, a responsive and accountable state machinery, and an aware and mobile citizenry constitute the core of human rights agenda of life, liberty, dignity and equality. At SHRC, we stay committed to our role in promoting, protecting and enabling mechanisms so that fundamental human rights are enjoyed by all citizens without any discrimination.

## SHRC Structure

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 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 such as jails, hospitals and shelters to review the living conditions of inmates and make recommendations for improvements.

**SHRC is empowered to hold inquiry into cases of human rights violations and recommend remedial measures, including action to be taken against the perpetrators.**

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

SHRC is led by a Chairperson, supported by six members and a Secretary who is also a member. 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 retired 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 Sindh Human Rights Commission is supported by a Secretary (overall in charge of office matters), Superintendent Complaints (Enquiries & Suo moto), Public Relations/Communications Officer, 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 office operations.

As an independent body delegated to work for the protection and promotion of human rights in the province, SHRC 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, SHRC has undertaken over 1,700 cases. It has led review of laws on pro women

laws, the Sindh Protection of Human Rights Act 2011 (the law regulating the Commission), and developed a consultation-based Strategic Plan to guide the Commission's actions and direction. Moreover, the Commission has led, and participated in, consultations on legislation and law implementation undertaken by other governmental and non-governmental organisations, steered capacity building initiatives, particularly that of the police, lawyers and activists (these are usually the first point of contact for the victims of rights violations), and also contributed to the process of review of mechanisms for implementation of human rights conventions related to the trade incentive of GSP+, extended to Pakistan.

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

Moreover, 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. There are three committees that are tasked to look into specific areas of: (i) human rights; (ii) minorities' rights and; (iii) gender-based violence. The members of these committees are drawn from experts 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 addition, the Commission is also assisted by local focal persons volunteers drawn from all districts of the province to identify rights violation cases in their respective districts and conduct initial assessment of the situation. Focal persons have also been appointed in the police department, and recently from six government departments. These focal persons liaise with SHRC on human rights violation complaints (details in the "Key Developments" section). Furthermore, civil society and community groups support SHRC by highlighting and following up on complaints and providing inputs in consultations on legislation and policy review.

In all its powers and functions, SHRC has a recommendatory role. The Commission's recommendations on specific complaints, review of laws and policies and on implementation of human rights based treaties are submitted with the government for action and redressal.

## Looking Back To Look Forward

Excerpts from an  
interview with Chairperson  
Sindh Human Rights  
Commission Justice (Retd)  
Majida Razvi on eight years  
of SHRC.



**Q. The Commission has been working for eight years now. What difference have you observed in the situation of human rights grievance mechanisms in all these years?**

**Chairperson SHRC:** There is certainly a difference. There have been improved links between the police and the district courts. Police's capacity and knowledge of applicability of law has improved significantly. Today, there would be very few police stations which would turn away a victim of domestic violence on the pretext of this being their family problem.

I would attribute this change to the injunction of fresh blood in police. The new entrants have a drive and willingness to serve the community.

**Q. Has there been any change in the larger environment?**

**Chairperson SHRC:** Yes. Overall, there has been increased awareness among people. This could be due to media and increased mobility. People are certainly more aware of their rights and entitlements. They are ready to stand up and fight for their rights. However, there is limited recourse or redressal. This adds to their frustration and leads to depression.

**Frustration and  
depression due to  
socio-economic  
problems lead to  
violence.**

I would also add that there is definitely a difference between the rural and urban areas when it comes to access to human rights and development. However, the difference is decreasing with time. Rural areas are also catching up on consciousness. Still, underdevelopment in rural areas remains a challenge. Healthcare and education facilities hardly exist. People still have to go to Hyderabad, Sukkur and Karachi for medical treatments. There are well-developed roads around villages. However, within villages and small towns, infrastructure, particularly the sewerage system, is crippled. There is severe shortage of potable water. In all these years, there should have been more improvement in the basic infrastructure and services. Sadly, this

is also to do with the feudal culture that resists development.

We also note that cases pertaining to violence against women continue to go up without any respite. However, it could be due to an increase in reporting. Exponential growth in population is also a reason behind the rise in criminal cases. Frustration, depressions and mental illnesses due to socio-economic problems lead to violence. As a result, women and children suffer the most.

**Q. What have been the key learnings of the Commission with respect to engaging the government systems on the theme of human rights?**

**Chairperson SHRC:** SHRC has been working for eight years now. In all these years, during our visits, consultations and outreach efforts, we have never faced any resistance from stakeholders in the provincial government. They are open for dialogue and consultation.

In every visit, it is a part of our agenda to request the District Commissioner to call all officials from the education, health, and other related departments who are asked to present an update on their work and the steps taken to address gaps and issues highlighted by members public and civil society.

In these meetings and conversations, what emerges is that while efforts are being made to raise the standards of services and address public grievances, poor accountability and absence of communication mechanisms continue to be a challenge.

One positive outcome of our visits is the opportunity to have public grievances of minor nature addressed on the spot. In these visits we also conduct hearings on petitions/complaints in the presence of district officials and other department representatives. The grievances are of varied nature such as police's refusal to register a case, civic issues, families needing help for mentally ill patients, and so on. Where needed, we ask for an urgent intervention. We have observed that action is taken immediately in such instances.

On public's part, people are happy that an independent commission is making an effort to follow up with government departments on their work and response to public grievances. Common public do not have easy access to these offices, nor can they avail any kind of information about their work. Even if they reach out, they are turned away.

**Q. What is your view of district courts that are the first port of call for common citizens seeking justice?**

**Chairperson SHRC:** District courts are at the frontline of the application of law. They have the mandate to quickly address violations of individual rights and protect constitutional safeguards.

Meeting with district courts officials is a critical component of our district visits. For us, it is important that judiciary, especially the district courts, are dispensing justice in line with the human rights values upheld by the Supreme Court and human rights judgements by the honourable court. We always make it a point to discuss the experiences of the district courts and challenges they face in judgements related to human rights violations. This gives us an insight into the institutional gaps at

the horizontal and vertical levels preventing realization of rights and security by members public.

When we return, we prepare our recommendations accordingly. For instance, in one of our visits, we inquired about the status of the establishment of consumer courts at the district level, as ordered by the Government. It turned out that while the courts were present, no petitions were being filed with the consumer courts because the public hardly had any awareness about the courts. We, therefore, recommended that public awareness of the existing systems be strengthened.

### Q. How do you describe the impact of the Covid-19 pandemic on Sindh?

**Chairperson SHRC:** The Covid-19 pandemic has been challenging for the entire humanity. It has restricted life as we knew it. It has impacted growth and development. People have lost livelihoods. Human interactions suffered. An environment of fear and lack of trust lingers in the air. Though people promote online communication, it is no substitute of human interactions.

In terms of human rights work, Covid-19 has certainly impacted the gains made, particularly in facilitation and linkages, in the past years. It abruptly interrupted ongoing efforts in human rights. This also led to the prevention of relief and addressing of grievances.

We observed a rise in labour rights violations cases during Covid-19. There were massive layoffs across all sectors, and those without contract and record of employment suffered the most. This is despite the Sindh Government's orders, under Section 3(1) of the Sindh Epidemic Diseases Act 2014 prohibiting layoffs and implementing paid leave for the duration of lockdown. We received complaints from factories, hospitality industry, healthcare sector, retail sector, and even from a local tractor manufacturing factory. People also complained about inaccessibility of government schemes, particularly the Ehsaas Emergency Cash Programme. At the same time, we noted no let-up in the rights violations cases that we normally receive. Reporting on criminal cases such as murder, rape, and child abuse never cease, no matter the time.

**Covid-19 has been challenging for the entire humanity. We observed a rise in labour rights violation cases. There were massive layoffs.**

### Q. In the past years, the Sindh Government has established a number of Commissions related to varied areas of human rights. How do you view this development?

**Chairperson SHRC:** Establishment of these commissions is an important step towards strengthening safeguards on human rights. However, these Commissions are not empowered enough. Some commissions are awaiting appointment of executive authority, others are not getting adequate funds or necessary infrastructure.

Recently, SHRC has started an initiative to foster communication and collaboration between the provincial commissions and the departments working on human rights. We organized a consultation before Covid induced lockdown to exchange notes on our respective challenges and explore a way forward. We plan to follow up on this, as there is much scope to synergize efforts to

respond to the multitude of human rights challenges. Moreover, with majority of the commissions and departments vested with the mandate to register rights violations complaints, it would be useful to bring these commissions under one umbrella and delegate a mother organisation to follow up on complaints. That way, the complainants will not have to pursue different organisations for their complaints. It would also create space for more clarity and organized structure leading to efficiency.

**Q. In all these years, we have noted that despite increasing awareness and institutional response to human rights challenges, issues such as religious fundamentalism and extremism continue to grow. We also note a lack of response on such cases. What in your view needs to be done to address sensitive issues?**

**Chairperson SHRC:** There needs to be a dialogue forum bringing relevant stakeholders on one table with the shared goal of delivering justice and addressing extremism. These are extremely complex issues, hence an environment of trust and security for such a dialogue is critical. There needs to be continuous dialogue and closer coordination between stakeholders from the government, law enforcement, human rights institutions, justice institutions and the civil society.

At the end of the day, it is really the state that needs to be firm against human rights violations. Members public and civil society depend on the state to uphold the rights of the citizens and protect them. On our part, the Commission communicates the voice of the citizens and the civil society to the government departments. We follow up with the government to address those issues and also work to strengthen rights related mechanisms so that the citizens can enjoy security, freedom and protection.

**Q: What are the key areas that need to be worked on for SHRC to serve on its mandate better?**

**Chairperson SHRC:** We need to establish our operations in other districts. Ideally, we would like a sub-office of SHRC established in all districts of Sindh. With so much poverty and high cost of transportation, we do not want to burden our complainants with the cost of commute to appear for inquiry or follow up on their complaints. I believe opening offices at the regional level would help with quick assistance through immediate reporting. Our sub-office in Sukkur is a part of the effort to bring grievance mechanism closer to home for the complainants.



**"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."**

**United Nations,  
Universal Declaration of  
Human Rights**



# 2

## Section

## Key Developments in 2019-2020

In 2020, a number of steps were taken in favour of expanding the Commission's outreach and effectiveness. The Commission opened a sub-office in Sukkur. We also launched a new website. This was in line with the Commission's vision to expand our physical and digital footprints. Moreover, new members were appointed following the expiry of the terms of the earlier members. Responding to repeated requests from the Commission over the need for effective coordination between all the government departments, a number of departments appointed focal persons to liaise with SHRC.

This year, an important challenge faced by the Commission was the Covid-19 pandemic that impacted every section of the population and the entire machinery of the government. The Commission adjusted its operations in accordance with the Covid-19 SOPs, installing all necessary precautions to protect the staff and visitors from the infection.

Below is a brief round-up of key developments pertaining to the Commission in 2020:

### Sukkur Office

The Commission, since its inception, has been working from its headquarters in Karachi. The complaints and hearings in areas outside Karachi are managed either by phone follow-ups, or in-person, where need be. The in-person follow up involves complainants travelling to Karachi or the Commission's members visiting related towns for inquiries. However, owing to continuous increase in the number of rights violations complaints registered with the Commission, there was a need as well as a demand from the general public to open sub-offices in other districts of the province so that local complaints can be addressed without delay.

Responding to these demands, the SHRC established its first sub-office in Sukkur on 21st January 2021. The establishment of the sub-office was supported by the Chief Secretary Sindh Mr Mumtaz Ali Shah, who readily accepted the proposal and followed up on the necessary procedures. We are grateful to the Women Development Department, Sindh for providing space for SHRC's sub-office in Sukkur.



Inauguration of Sukkur Office in January 2021

The new office is located at the Women Development Complex, Main Shikarpur Road in Sukkur.

The launch ceremony was attended by the representatives of the Women Development Department, Social Welfare Department, officials of the Sukkur Police, members of civil society, and media. Chairperson Commission, Secretary Commission and Members of the Commission addressed the ceremony and invited stakeholders to collaborate with the Commission so that it could effectively respond to the local public's grievances regarding rights violations.

The Commission sees the sub-office of Sukkur as offering convenient access to rights violations survivors from Sukkur and upper Sindh division. The office will be managed by the local staff that have been trained to file and handle complaints. A system of communication and check-in has been established between the Sukkur office and the Commission's headquarters in Karachi. The cases are transferred to the Karachi office for examination and investigation. The complaints that do not require hearing are handled in accordance with the Commission's protocols. It has been planned that members judicial will be visiting Sukkur sub-office once a month for a one-week period to manage the hearings and follow up on area-specific complaints filed with the Commission.

The Commission also views the cooperation of the civil society groups as critical in effective functioning of the Sukkur office. With its vast presence and outreach at the grassroots level, civil society can facilitate communication, between the community and the Commission and connect victims of rights violations with the Sukkur office.

A solar energy system is being installed at the Sukkur office to ensure continuous operations and stable connectivity.

## New Website

SHRC relaunched its website with a new design and powerful content reflecting the Commission's mission of public awareness on human rights. The website incorporating a fresh interface carry updated information about the Commission's work and activities. Moreover, it also hosts information on the Supreme Court and High Court's judgements on human rights-related matters such as minorities rights, jirga, revoking of death penalty for mentally ill persons, and protocols of medical examination of rape survivors, among others. In addition, international conventions on human rights ratified by Pakistan and a list of important human rights legislation have also been placed on the website. This is aimed at public information and education on human rights. SHRC's own annual



reports and other publications, as well as information about the Commission's mandate and functioning also feature on the website.

The website content also includes video clips of media participation of members Commission that provide a glimpse on the work and views of the Commission's members on the subject of human rights. A complaint form to file a human rights violation complaint with the Commission has been made available. A number of interactive features and educational content are in the pipeline to enhance user experience and make the website more beneficial for SHRC's digital audience.

## Appointment of New Members

The Sindh Government Appointed New Members of the Commission following the expiry of the term of those from the civil society in July 2019. The new members from the civil society include Pushpa Kumari who is a well-known activist leading the cause of religious minorities and women. Pushpa is a Mithi-born social and human rights activist. She has studied Agriculture Entomology from the Sindh Agriculture University Tandojam. Ms Kumari works with religious minorities, and leads efforts for social uplift of the community, and for legislative reforms for the protection of religious minorities. She has been a part of the Pakistan chapter of the International Dalit Solidarity Network. She is also a member the HRCP Minority Working Group. Pushpa Kumari has contributed to a number of dialogue and consultations on legislation related to religious minorities. Her background as a voice of religious minorities brings diversity and important expertise for SHRC on the theme of minority rights.

Labour rights and human rights specialist Zulfiqar Shah was also appointed as member Sindh Human Rights Commission. He is the Joint Director of the Pakistan Institute of Labour Education and Research (PILER). Mr Shah is also a well-known researcher and journalist who was awarded the “Lorenzo Natali Prize” by the European Commission for his writings on human rights and democracy. Zulfiqar Shah also specializes in human rights advocacy. He has been invited at numerous international forums, particularly at the European Parliament and the European Commission to provide input on strengthening human rights and labour rights mechanisms in Pakistan.

## Focal Persons

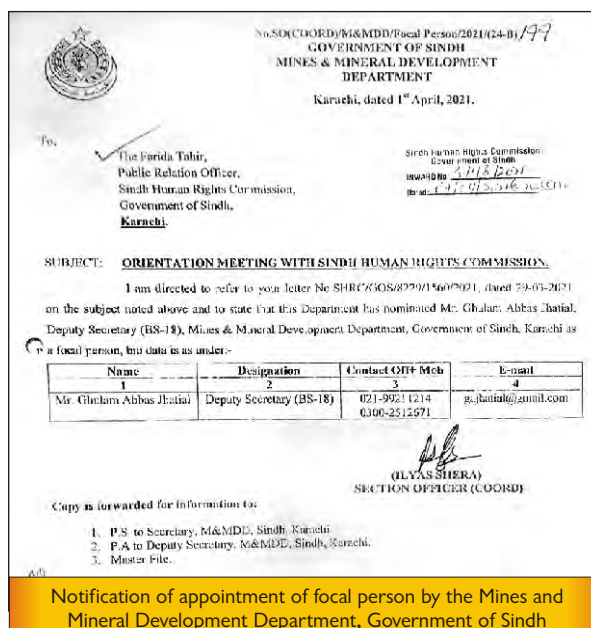
The rights violations complaints filed with the Commission mostly require a formal inquiry, as well as information-sharing and action from various government departments. In recent years, SHRC has been lobbying for a more robust coordination between the Sindh Government departments and the Commission, so that complaints related to all departments can be investigated and addressed efficiently.

Following repeated requests to departmental secretaries, and

**Focal persons were notified by a number of government departments to liaise with SHRC for investigation and redressal of complaints.**

follow-ups by the Commission's Public Relations Officer, focal persons have been appointed from all government departments to liaise over complaints concerning the respective domains of the departments. Six focal persons have been appointed by departmental secretaries so far. These include Health Department, Finance Department, Social Welfare Department, Women Development Department, School Education Department, and the Provincial Board of Revenue.

These focal persons are points of contact in case of rights violations cases or suo moto notices concerning their departments. They present the department's position to the Commission at the time of the inquiry. They also work with their respective departments to resolve grievances. In future, a more active communication and collaboration between the focal persons and the Commission is planned, geared at reducing complaints and promote proactive measures to prevent rights violations.



### Covid-19

The Covid-19 pandemic unleashed an unprecedented health emergency across the globe. Sindh has been described as the worst affected in terms of the number of people infected. As of early March 2021, a total of 259,165 people were infected with Covid in Sindh, with the death rate standing at 50% of that prevalent across Pakistan. At the same time, there is broad consensus that protective measures pursued by the Sindh Government in the form of



Meetings and consultations were moved to online forums after the Covid lockdown was announced. Once the lockdown was lifted, strict Covid-related protocols were followed for meetings and visits.

an extended lockdown, strict enforcement of SOPs and public awareness and information campaigns have played a critical role in averting a wide-scale crisis. As the infection spread and death toll continues to surge, precautions such as the use of face mask, social distance, and minimal public contact have emerged as the best possible remedy.

On its part, the Sindh Human Rights Commission worked around the Covid-19 specific directives issued by the Government

of Sindh to deal with the crisis. In the lockdown period, barring essential services, all government offices were closed. The Sindh Human Rights Commission re-opened its offices after a formal announcement by the Government of Sindh. Prior to the reopening, complaints were managed through Police portal that facilitated plugging of the complaint with the police department and follow up with the IG office. All staff was working from home during the lockdown period.

Admittedly, there was disruption in the inquiries and follow up of the ongoing cases during the peak of the crisis. Given the growing number of complaints and the inability of the Commission to conduct public hearings due to Covid-19 restrictions at the Sindh Secretariat, the Commission was compelled to write to the Chief Secretary - in the month of May 2020 - to grant an exemption and allow inquiries with complainants and concerned parties. Once the exemption was granted, the Commission started the hearing process twice a week. This helped address overload in cases and also supported uptake of new complaints.

Key SOPs followed by the Commission to respond to Covid-19 included strict wear-a-mask, sanitisation and social distance policies. The office was regularly disinfected. PCR testing and periodic re-testing of the staff was also organised.

The Commission carried on its engagement through online forums, participating in consultations and managing information campaigns. With the relaxation of the Covid-19 related restrictions around September 2020, the Commission began its work in full swing while observing all necessary precautions. The Commission still follows hygiene and sanitization related protocols, while all public dealings are handled adhering to social distance practices. Due to its strict policy of adherence to Covid-19 protection protocols, the Commission's staff and visitors have largely remained safe. There have been only two cases of Covid infection among the Commission's staff.

As the vaccination drives gets underway, it is hoped that normal life will resume soon. The important lessons of Covid-19 are "adaptation" and "resilience". Despite the pandemic-induced fear around human contact, the Commission believes that adopting innovative ways to continue on its planned path has certainly helped them deliver on public's expectations on grievance redressal against rights violations.

### **Cases emerging from the pandemic**

In terms of cases reported during the peak of the Covid-19 pandemic, the Commission noted an increase in labour rights violation cases. These pertained to job dismissals and layoffs, and denial of wages. The cases reported involved contract workers generally considered to be job insecure and even permanent workers that have relatively more secure access to rights. In the wake of acute economic uncertainty generated by Covid-19, workplaces were either closing down, or exercising downsizing. However, workers suffered more due to the lack of formal employment arrangement that deprives them of financial entitlements such as severance allowance and gratuity payment etc. in case of layoffs. A large majority of informal workers, therefore, suffered during the pandemic.

The Commission took up the cases filed by workers and conducted inquiries too, calling the complainant and employers at the Commission's office. A dedicated follow up was also maintained. The cases were filed from hospitality industry, tractor manufacturing industry, and healthcare sector, among others. Unfortunately, it was observed that there are limited redressals for labour rights violations as employers would take advantage of weak systems of labour protections.

The Commission also noted a rise in cases related to violence, child abuse, suicides and mental health. Moreover, people also turned to the Commission for assistance for the Ehsaas Emergency Cash Programme and other relief measures aimed at addressing economic hardships induced by Covid-19.

The after-effects of Covid-19 generated a discourse on the need for stronger social security measures and investment in healthcare. We also noted how income inequality, digital divide, poorly regulated labour market, and low literacy levels, leading to disinformation about Covid-19, eroded the capacity of the citizens to fight the pandemic. There is, therefore, immense significance of a human rights-based approach in government policy and action, which draws from the fundamentals of life, liberty, equality, and dignity. Adopting these elements in the design of programmes and actions directed at pandemic relief and protection are critical to ensuring that everybody survives the crisis with dignity.



## Human Rights Violation Complaints and Suo Moto Notices

In accordance with the powers enshrined in the Sindh Protection of Human Rights Act 2011, the Sindh Human Rights Commission takes up human rights violation cases either on suo moto basis or through complaints filed with the Commission. From June 2016 to June 2021, the Commission has undertaken a total of 1,700 cases pertaining to human rights violations in the province.

The cases are duly followed by a thorough inquiry process and filing of recommendations with the concerned departments and the Government of Sindh.

Over the years, SHRC has made numerous efforts to promote awareness about human rights among citizens. As a result, the number of human rights violation cases filed with the Commission have increased. From July 2019 to December 2020, the Commission registered 728 cases. Out of these, 393 were based on the complaints/petitions filed before the Commission while 335 were suo moto notices.

In 2019 and 2020, the highest number of cases were reported from the province's capital city, Karachi. Compared to July 2018 to June 2019, when the number of cases from the city stood at 114, during the ongoing report period, 195 cases were taken up by SHRC. The second highest number of cases were registered from Mirpur Khas, with 57 cases as compared to 14 cases from the previous year. SHRC took up 45 cases originating from Tharparkar which had reported only 11 cases last year. The current statistics show a massive increase in the number of cases from all parts of the province as compared to the data from previous years.

The complaints registered with SHRC are both civil and criminal in nature. Cases filed concern honour-related killings, domestic violence, sexual harassment, rape, kidnapping, illegal occupation of property, workplace harassment, and forced marriage. In contrast with the data from the previous year, in the last one and a half years, the cases of sexual harassment have risen from eight to 20, while the cases of domestic violence against women registered an increase from eight to 17. Cases of honour-related killings have also increased from two to five, whereas a sharp surge was noticed in reports of rape cases which rose from three to 21 from 2018 to 2020.

In the last two years, a trend of illegal occupation of property of women has also been observed. Nine cases were reported in 2017-18; and 20 were filed in 2018-19. The trend continued as the Commission worked on 14 more cases in the reporting period. Since July 2019, a total 44 cases of illegal occupation of property have been filed by both women and men before the Commission.

SHRC has been proactively addressing child rights cases. These include cases pertaining to child marriage, kidnapping, child custody, access to education facilities and other matters related to child protection. From July 2019 to December 2020, the Commission dealt with four cases of child marriage and three cases of child custody.

In the wake of COVID-19, the number of complaints over non-clearance of dues/wages at work rose from 14 in the previous year to 26 in 2020.

Complaints of individuals reported missing, some of them being cases of enforced disappearance, and other human rights infringements continue to be filed with the Commission. This year, an increase in these cases has been observed. From July 2019 to December 2020, eleven cases of enforced disappearances were pursued by the Commission. Moreover, 36 cases of inhuman treatment and three cases of extra-judicial killings were also taken up.

Basic data analytics of human rights petitions filed with SHRC in 2019-20 are being presented in the following pages.

### Human Rights Violation Complaints in 2019-2020

District	Cases
Badin	39
Dadu	47
Ghotki	20
Hyderabad	43
Jacobabad	14
Jamshoro	28
Karachi	195
Kashmore	7
Khairpur	13
Larkana	11
Matiali	8
Mirpur Khas	57
Naushahro Feroze	14
Qambar Shahdadkot	21
Sanghar	7
Shikarpur	8
Shaheed Benazirabad	12
Sujawal	16
Sukkur	10
TandoAllahyar	23
Tando Muhammad Khan	44
Tharparkar	45
Thatta	19
Umerkot	27
<b>Total Cases</b>	<b>728</b>

### Cases of Violation of Human Rights of Women

Category	Cases
Murder	16
Honour-related Killing	5
Rape	21
Sexual Harassment	20
Domestic Violence	17
Child Marriage	4
Kidnapping	18
Inhuman Treatment	13
Cases of women gone missing (Most of these cases pertain to women leaving their homes unannounced due to a domestic dispute or for freewill marriage - cited as a reason. However, families register a case of missing female member and after being reported in the media, SHRC picks it for suo moto notice.)	2
Illegal Occupation of Property	14
Clearance of Dues/Wages	6
Child Custody	3
Safety and Protection	15
Others	51
<b>Total Cases</b>	<b>205</b>

## Human Rights Violation Cases Covering Male Complainants/Victims

Category	Cases
Murder	12
Extrajudicial Killing	3
Death in Police Custody	2
Male Rape	2
Missing persons (These include illegal abductions by state agencies and police. Also include temporary acts of relocation by people due to family dispute)	9
Inhuman Treatment	6
Harassment	17
Life Threats	13
Robbery	4
Fraud	4
Clearance of Dues/Wages	20
Death (due to accident, negligence of hospital management, loose electricity wires attributed to electricity suppliers' negligence, and drowning).	7
Illegal Occupation of Property	30
Illegal Police Custody	7
Denial of Salary	10
Job Provision (application for job on son quota and disabled persons quota)	7
Promotion/Transfer in Position (Filed by public servants)	11
Suicide	2
Unsatisfactory Education Facility (including shortage of teachers and poor condition of schools)	3
Unsatisfactory Health Facility (including shortage of medicines and poor condition of hospitals)	5
Others	156
<b>Total Cases</b>	<b>330</b>

### Departments Nominated in Complaints/Cases

Department	Cases
Police Department	440
D.C Office	130
Health Department	52
Education Department	42
Sindh Government (issues related to multiple departments of the Government of Sindh)	29
K-Electric/HESCO	5
Irrigation Department	4
Pakistan Bait-ul-Mal	2
Food Department	2
Others	22
<b>Total Cases</b>	<b>728</b>

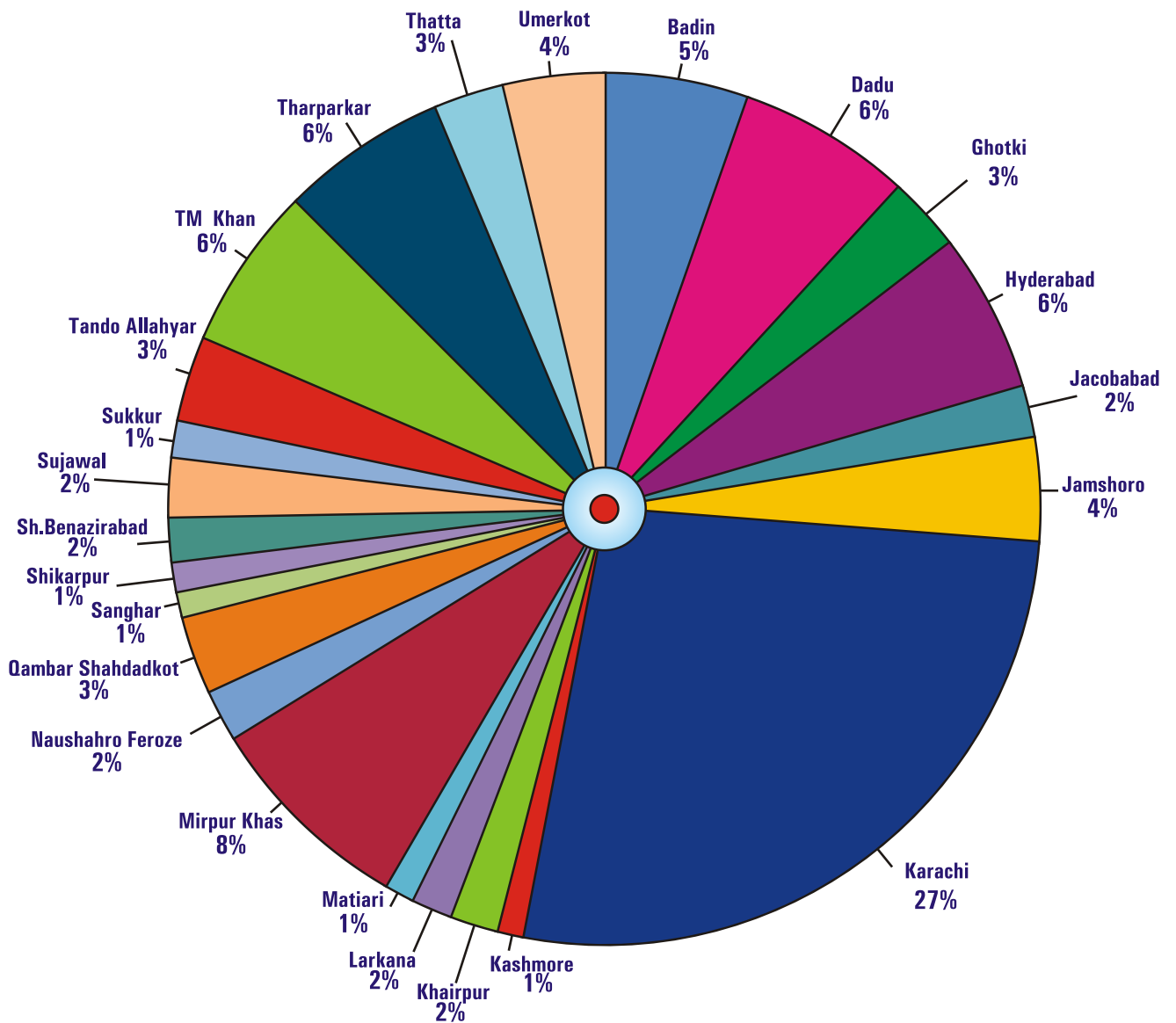
### Gender Wise Record of Cases

Cateogy	Cases
Male	330
Female	205
Gender not specified (These pertain to public interest-related cases such as sewerage issue, dysfunctional hospitals and schools, and absence of potable water supply)	193
<b>Total Cases</b>	<b>728</b>

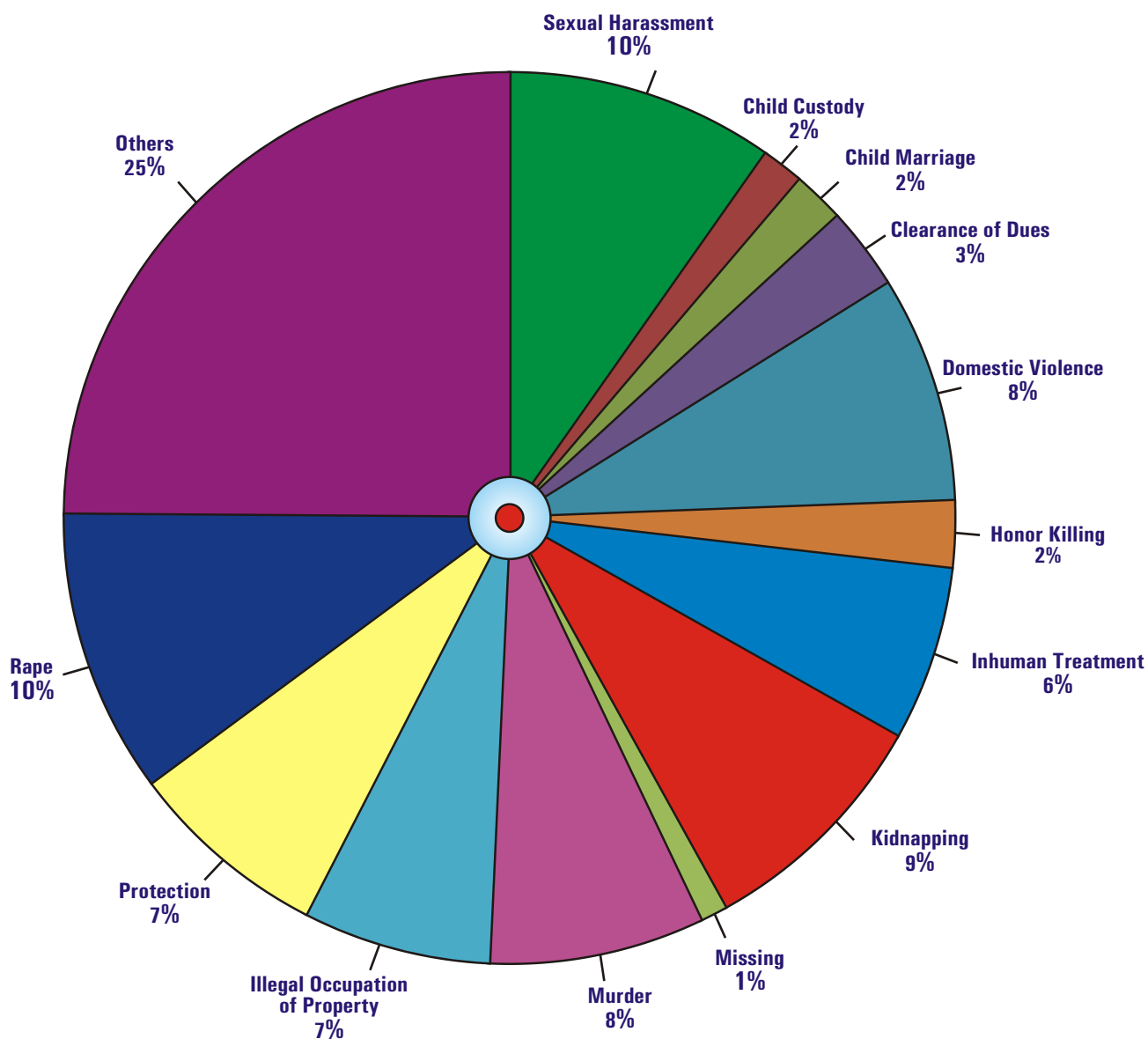
### Nature of Petitions

Cateogy	Cases
Suo Moto	335
Complaints filed with SHRC	393
<b>Total Cases</b>	<b>728</b>

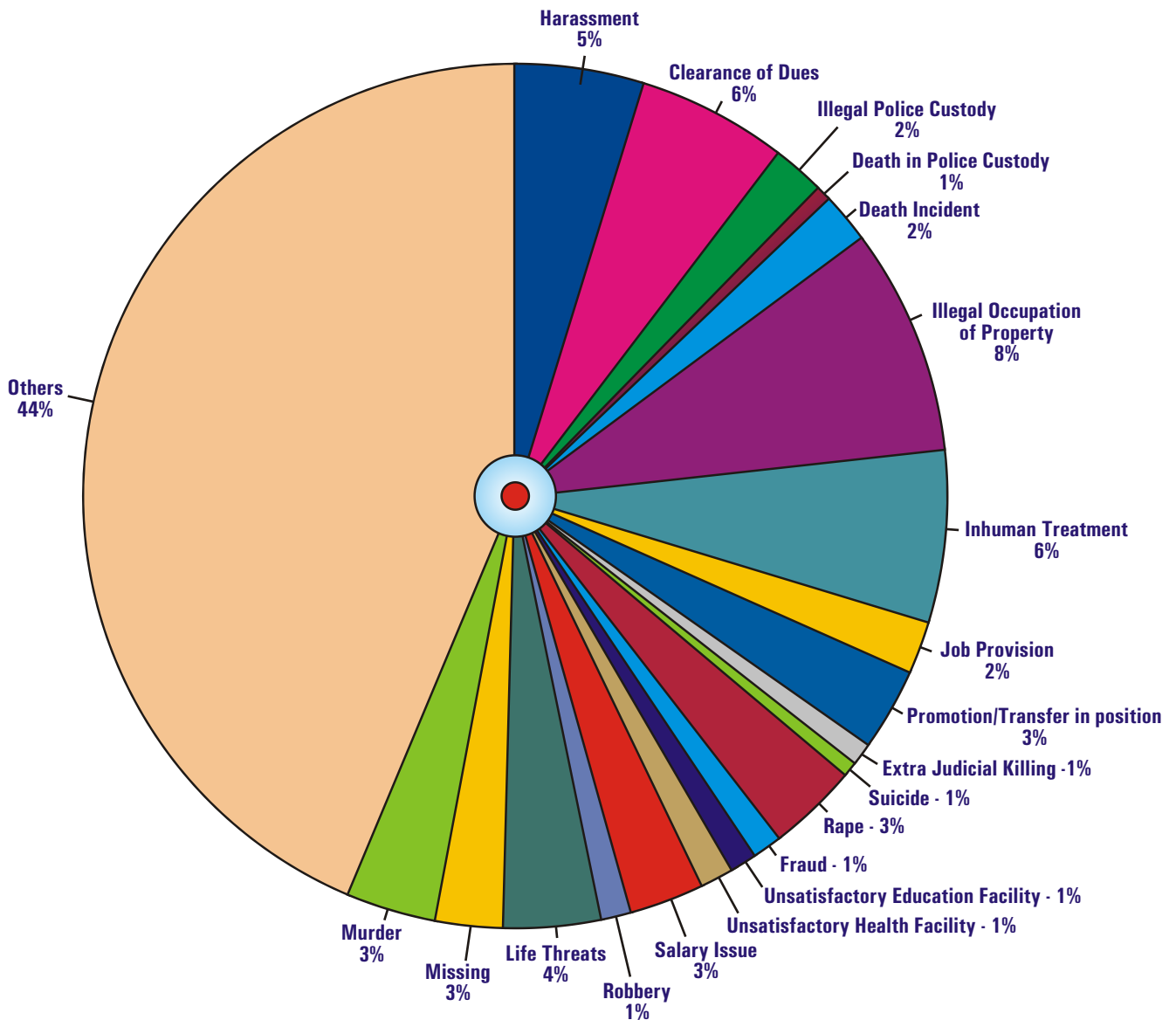
### District Data



## Cases of Human Rights Violation of Women

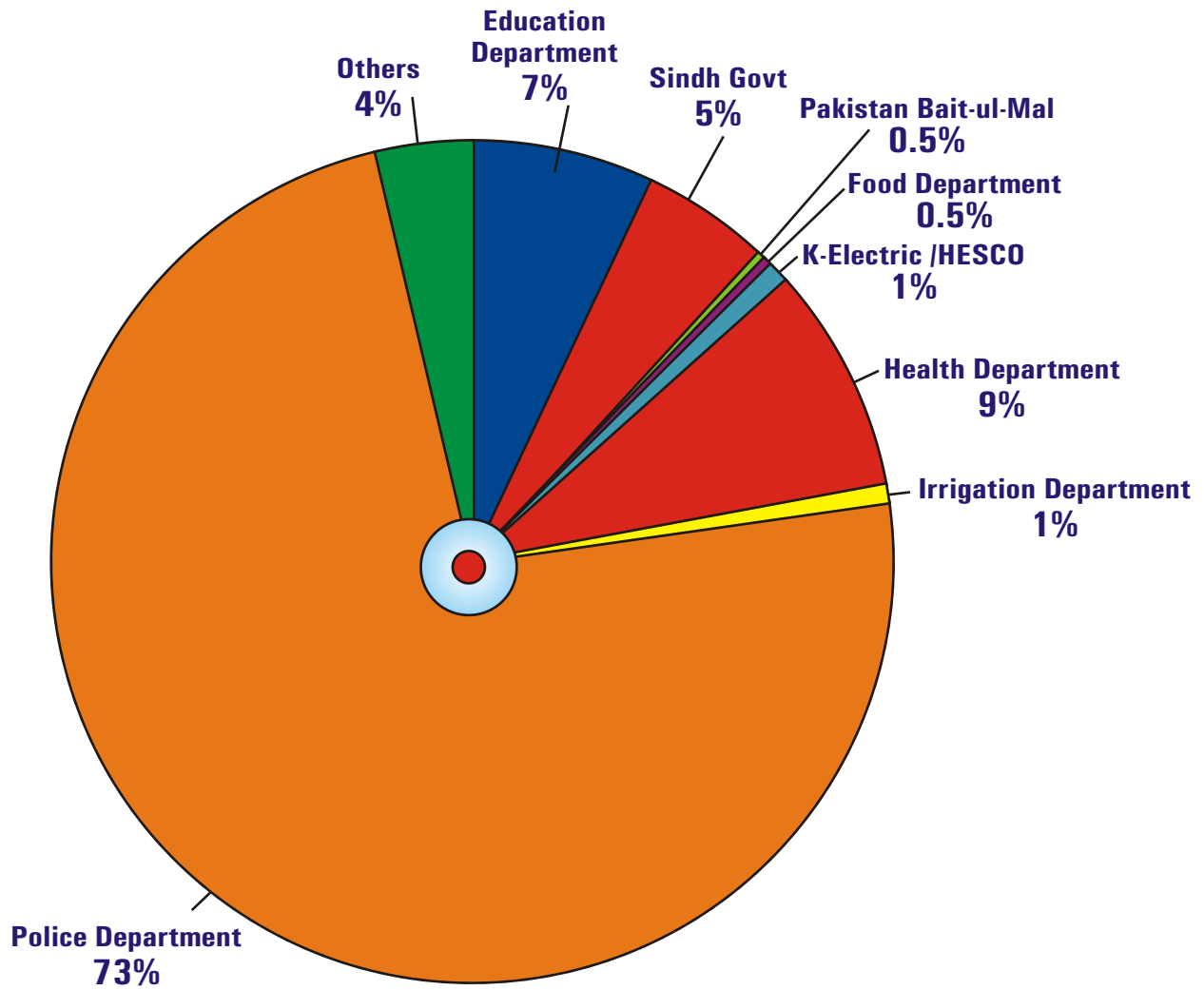


## Human Rights Violation Cases Covering Male Complainants/Victims





## Departments Nominated in Complaints/Cases





# 3

## Section

## Consultations and Outreach

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”, the Sindh Human Rights Commission organizes consultations, dialogues and awareness sessions every year. These sessions are conducted to facilitate a review of human rights situation in the province and promote awareness on the existing legislation and implementation mechanisms. By soliciting experts' opinions and enabling exchange of views, the sessions lead to a dialogue and insights on the way-forward for effective human rights interventions to rights violation cases.

The themes of the consultations are drawn from the issues identified in the Commission's Strategic Plan 2017-21. Moreover, complaints filed with the Commission also offer an insight into the emerging trends and complexities in human rights situation in the province of Sindh. The consultations invite strategic actors from the concerned government departments, experts, civil society, media and academia, among others. Each programme is designed to incorporate special presentations by subject specialists followed by a dialogue. The sessions are recorded and documented to maintain a follow up.

SHRC also organises awareness sessions for civil society and members public in different areas of the province. This is done under the Commission's mandate to advocate “human rights literacy among various sections of society” and “promote awareness of the safeguards available for protection of human rights through print and electronic media, seminars and other available means”.

The awareness sessions to disseminate knowledge about human rights, related legislation and implementation mechanisms, and workings of the Commission are conducted by the Chairperson, members of the Commission, Committees and Commission staff during their visits to different parts of the province. Awareness programmes have brought results in the form of increase in reporting of rights violation cases with SHRC, which also reflects the increasing trust of the public in the Commission.

While the Commission conducted outreach activities in 2019, these had to be scaled back owing to Covid-19 related restrictions in 2020. SHRC resumed regular activities in late 2020, adhering to all Covid-19 SOPs.

A summary of activities organised in 2019 and 2020 are presented below:

**The themes of the consultations are drawn from SHRC's Strategic Plan 2017-2021. Moreover, complaints filed with the Commission also offer an insight into the emerging trends in human rights situation in the province.**

## Consultations:

- ◆ “Karo Kari/Honour Killing — A Crime against Humanity: Reasons and Challenges in Stopping the Menace”, held on October 18, 2019 in Karachi.
- ◆ “Role of Commissions and Statutory Bodies in Preserving Fundamental Human Rights”, held on February 21, 2020 in Karachi.
- ◆ Seminar on “Increasing Incidence of Suicides in Tharparkar” and Launch of Annual Report 2018-2019, held on January 17, 2020 in Karachi.

## Awareness Sessions:

Awareness sessions were organised in the following regions:

- ◆ Matiari
- ◆ Khairpur
- ◆ Karachi

## Consultations' Summary

### **Consultation on Honour Killings — A Crime against Humanity: Reasons and Challenges in Stopping the Menace October 18, 2019, Karachi**

The Sindh Human Rights Commission organised a consultation in Karachi to discuss honour killings and explore reforms in legislative and policy actions as the practice continues to threaten lives of women and men in Sindh, despite stronger legislation and police action in recent years.

Key speakers at the Consultation included Member National Assembly and Head of Pakistan Peoples Party's Human Rights Cell, Nafisa Shah; Chairperson Sindh Human Rights Commission, Justice (Retd) Majida Razvi; Special Assistant to Chief Minister Sindh on Human Rights, Veerji Kohli; Justice (Retd) Aslam Jafri; Justice (Retd) Shaiq Usmani; Former Member of the National Commission for Human Rights in Sindh, Anis Haroon; Dean Faculty of Social Sciences, SZABIST, Dr Riaz Ahmed Shaikh; Additional Director Cyber Crime Wing, FIA, Faizullah Korejo; DIG



MNA Nafisa Shah speaking at the SHRC consultation on honour killings.

Headquarter, Sindh Police, Abdul Khaliq Shaikh; and Resident Director Aurat Foundation, Mahnaz Rehman.

Shedding light on the issue of honour killings and the severity of its impact on the state of human rights in Sindh, Chairperson SHRC expressed concern that while landmark judgments have been given and several legislations have been passed, there is lack of implementation of the law. She shared her experiences from visits to different areas of the province and stressed upon the necessity of collective efforts to tackle the issue. She reiterated the Commission's commitment to unite all efforts to overcome the challenges in addressing the crime that not only targets women, endangering their lives and their right to freedom, it also fosters a culture of violence and impunity.

During the panel discussion on the subject, Justice (Retd) S. Ali Aslam Jafri highlighted the importance of identifying the reasons contributing to the practice of honour killings. He shared that while lack of education and inadequate socio-economic development opportunities may be among the reasons, the conflict between the local customs and laws is an important factor encouraging honour killings and violence in the province. He stressed that the customs emanating from feudalism, that are seemingly stronger than the laws in force, must be abolished. Moreover, a public information drive on laws must be initiated. Justice (Retd) Shaiq Usmani recommended the formation of a separate institution to deal with the cases of honour killings.

**Speakers observed that customs are a hindrance in efforts to counter crimes against women. Customs promoted by feudalism are stronger than the laws in force, they noted.**

Contributing to the discussion, Former Member of the National Commission for Human Rights in Sindh, Anis Haroon lamented that many cases of honour killings go unreported. "The conviction rate for cases of violence against women is roughly 4 to 5 percent which is discouraging," she noted. She recommended that the entire belt, where honour killings are prevalent, should be declared a no-go area for women and emergency should be imposed to deal with the cases of violence against women in the "hotspot" regions. She also highlighted the need for gender sensitisation among investigation officers who deal with the cases of crimes against women.

Dean of the Faculty of Social Sciences at SZABIST, Dr Riaz Shaikh observed that customs appear as the biggest hindrance in efforts to counter crimes against women. He expressed that it is difficult for women to live in Pakistan since patriarchy and toxic masculinity are deeply entrenched in our society. He noted that state intervention is critical to addressing the problem. He also stressed the need for the political elite to play their role in providing safe spaces for women and addressing relevant crimes. "Political will is imperative when working towards countering violence against women."

The issue of cyber crimes against women was also highlighted in the presentation by the Additional Director Cyber Crime Wing FIA, Faizullah Korejo. He spoke about the lack of adequate knowledge about the safe use of the digital media. He shared that it is the women that are largely the victims of cyber crime; however, their representation in the relevant (complaints) departments is very low.

Adding to that, DIG Headquarter Sindh Police, Abdul Khaliq Shaikh said that the Sindh Police has worked on the prevention of honour killings by forming an Anti-Honour Killing Crime Cell. Investigators from the Cell were trained to deal with inquiries. He also shared that the department had recently formed Human Rights Cells, as well as Human Rights Desks in every district. To address crimes against women, DIG Shaikh emphasized the need for reforming the criminal justice system in collaboration with different government departments and the civil society.

Highlighting the need to step up administrative efforts to address the menace, Special Assistant to Chief Minister Sindh on Human Rights, Veerji Kohli suggested the formation of a special committee to devise a mechanism to deal with the growing cases of honour killings.

Member National Assembly Nafisa Shah who has also done her PhD thesis on the subject was the keynote speaker at the Consultation. She spoke of the stereotypes associated with honour killings. She said that feudalism was not the only challenge concerning the issue of honour killings. The law, the criminal justice system and criminal procedures are all equally problematic. She highlighted that despite several legislations in place, the inability to address violence against women signals failures in implementation. She added that modernisation and reforms within the formal state and justice system were a way-forward to counter honour killings in the province.

The Consultation helped highlight the need for a revisit of the related legislation and implementation mechanisms. Moreover, social and cultural reforms also need to be undertaken to address gender-based crimes. SHRC has incorporated the insights drawn from the Consultation into its complaint-handling mechanisms. The Commission shall continue to work on promoting policy debate to address underlying causes of violence in the province.

## **Consultation on the Role of Commissions and Statutory Bodies in Preserving Fundamental Human Rights February 21, 2020, Karachi**

In recent years, the Government of Sindh, under its drive to strengthen human rights structures in the province, has established a number of commissions and statutory bodies. These commissions are designed to serve special areas of human rights such as the right to health, protection of women, or general human rights. Given its own mandate to protect and promote human rights, the Sindh Human Rights Commission sees a role for itself in fostering efficient and smooth functioning of these commissions and explore grounds for coordination and collaboration in order to serve the citizens of the province more effectively. SHRC therefore set out to initiate a dialogue, starting with a consultation in Karachi on structures, systems, opportunities, and challenges in order to gain greater insights into these commissions' work and identify areas for collaboration.

**"Feudalism is not the only challenge concerning honour killings. The law and the criminal justice system are equally problematic." -  
Nafisa Shah,  
Member National Assembly**

The Consultation was chaired by Barrister Murtaza Wahab, Advisor to Chief Minister Sindh on Law, Environment, Climate Change and Coastal Development. The session was joined by representatives from different commissions and statutory bodies. These include Chairperson Sindh Human Rights Commission, Justice (Retd) Majida Rizvi; Provincial Ombudsman for Protection against Harassment of Women at the Workplace, Justice (Retd) Shahnawaz Tariq; former Member (for Sindh) of the National Commission for Human Rights, Anis Haroon; Chairperson Sindh Commission on the Status of Women, Nuzhat Shirin; representative of the Sindh Information Commission Gulzar Shaikh; Commissioner Sindh Healthcare Commission, Dr Khalid Shaikh; Dr Sikandar Memon from the Sindh HIV/AIDS Control Programme; and Rubina Brohi, Member Public Safety and Police Complaints Commission.

The session was moderated by Zulfiqar Shah, member SHRC. He stressed the significance of the agenda of the meeting which aimed to explore coordination and long-term collaboration for effective delivery of the mandates of all the provincial commissions and statutory bodies entrusted to serve various areas of human rights

Chairperson SHRC outlined the major objectives of the Consultation and expressed that since the mandates of all the bodies are interlinked, collaboration can be an important step in strengthening rights-related policies to effectively provide relief for the victims of human rights violations. Presenting details of



Justice (Retd) Shah Nawaz Tariq speaking at the consultation, which was attended by Chairpersons of all commissions, and Barrister Murtaza Wahab, Advisor to CM Sindh

the nature of cases dealt by SHRC and the mechanisms to address them, Secretary SHRC Ms Abida Lodhi highlighted the policy and legislative interventions by the Commission. She shared that the Commission was planning to set up a 24-hour complaint system to provide rapid response on human rights violations in the province.

**"Issues can only be resolved through dialogue. All commissions should work under their designated mandates outlined in the law." - Barrister Murtaza Wahab, Advisor to CM Sindh**

Speaking of the mandate and functions of his organisation, Provincial Ombudsman for the Protection against Harassment of Women at the Workplace, Justice (Retd) Shahnawaz Tariq said that sexual harassment at workplace is difficult to handle in the absence of effective systems to address the issues faced by the victims. He shared that the offices of the Provincial Ombudsman have been established in major districts of Sindh including Hyderabad, Mirpurkhas and Shaheed Benazirabad. However, in majority of the cases, the victims are hesitant to discuss their issue fearing loss of employment.

Representatives of the participating commissions and statutory bodies similarly shared the workings of their respective institutions. Former Member Sindh, National Commission for Human Rights, Anis Haroon pointed out that both NCHR and the National Commission on the Status of Women have been dysfunctional since last year. She urged the state authorities to restore the previous status of both the commissions and give them necessary space and independence in compliance with the Paris Principles.

Nuzhat Shirin, Chairperson Sindh Commission on the Status of Women, walked the participants through SCSW's work on review of legislation and implementation of laws on human rights of women. She said SCSW has reviewed over 18 laws. She stressed the need for knowledge-building and sensitisation on gender-based ethos to create an enabling environment for promoting social, economic, political and legal rights of women.

Providing details of the HIV/Aids Control Programme, Dr Sikandar Memon shared that there are more than 65,000 AIDS patients in the province. He stressed the need for advance care for HIV patients across Sindh, for which more facilities and greater resource allocation are required.

Barrister Murtaza Wahab, Advisor to Chief Minister of Sindh on Law, Environment, Climate Change and Coastal Development appreciated the efforts of the Sindh Human Rights Commission in bringing stakeholders including parliamentarians, commissions and other relevant departments on a single platform to strengthen coordination. "Issues can only be resolved through dialogue and collaboration." Barrister Wahab emphasized the need for maintaining balance among the three pillars of the state: executive, legislature and judiciary. He said that all the commissions and institutions should work under their designated mandates outlined in the law while also following protocols for transparency and accountability.

The meeting proved to be an important step forward towards strengthening dialogue between the government-established commissions that have a mandate to protect various areas of human rights. SHRC has been keen to continue this series of dialogue and develop a system of coordination among the commissions so that duplication of efforts can be avoided and the human rights challenges of the citizens of the province could be addressed in efficient and effective ways. Due to Covid-19, there has been a break in the dialogue series. SHRC plans to resume the exchange in 2021.

## **Seminar on Increasing Incidences of Suicides in Tharparkar and Launch of Annual Report 2018-2019 January 17, 2020, Karachi**

Taking note of the rising cases of suicides reported from the Tharparkar region, the Sindh Human Rights Commission organized a consultation titled "Increasing Incidences of Suicides in Tharparkar" to initiate a dialogue on the causes and explore mechanisms to address the issue. Alongside, the Commission also launched its 5th Annual Report for the year 2018-2019.

Medical research has emphasised links between suicide and mental health. In terms of human rights, mental health can be seen in the context of the right to health, which is connected with the right to life



and the right to live with dignity. All these have been outlined as fundamental rights in the constitution of Pakistan. These are also a part of the international obligations for Pakistan, as a signatory to human rights charters ratified by the country. Considering these dynamics, SHRC deems framing of the subject as critical to destigmatise the phenomenon. Suicide and mental health need to be viewed in the framework of the fundamental right to health for all citizens.

The seminar was attended by experts from the health sector, civil society and government departments/commissions. Participants included Dr Haroon Ahmed, Pakistan Association of Mental Health; Azhar Mirza, General Secretary, Pakistan Medical Association; Justice (Retd) Shahnawaz Tariq, Provincial Ombudsman, The Protection Against Harassment of Women at The Workplace; Karamat Ali, Executive Director, Pakistan Institute of Labour Education and Research and Member, Provincial Commission for Public Safety and Police Complaints; and Anis Haroon, Senior Human Rights Activist and Former Caretaker Provincial Minister for Women Development and Human Rights. Minister for Women Development Sindh, Syeda Shehla Raza presided over the session.

**"Suicide needs to be considered as a mental health issue since people who attempt to take their own lives are mentally ill."**

**- Dr Haroon Ahmed, Pakistan Association of Mental Health**

Highlighting the alarming issue of suicides in the province, especially in Tharparkar, the Chairperson SHRC noted masses are vulnerable to mental health issues, particularly anxiety. She said that it is important now, more than ever, for the government to address mental health on a priority basis. "We, at SHRC, realize that this issue needs to be resolved, which is why we have called upon stakeholders to discuss its causes and strategies to move forward through effective solutions," she said.

Sharing her observations, Syeda Shehla Raza, Minister for Women Development, Sindh said in Tharparkar, the ratio of suicide among men and women is equal. "It is not only women who are taking



Syeda Shahla Raza, the Minister for Women Development, speaking at the seminar on rising cases of suicide in Tharparkar.

their lives”. She noted poverty to be a driving factor behind suicide. “People are dejected when they are unable to afford the daily necessities of life.”

Talking about his own experience as a mental health expert, Dr Haroon Ahmed pointed out that quantifying the number of suicide cases in Pakistan is extremely difficult in the absence of a dedicated data gathering and management structure. Lack of clarity on the scale of the problem further obstructs any effort to find a solution to the problem.

“Since suicide is considered a crime, more so as a sin, there is a stigma attached to it. We urge that this be considered a mental health mentally ill. Globally, every three seconds people attempt suicide and every 40 seconds they lose their life. In 2020, suicide is the second leading cause of death after heart attack,” he shared.

Azhar Mirza, General Secretary, Pakistan Medical Association lamented about absence of a comprehensive health policy in the country, stating that this amounts to denying citizens their basic human rights. “There is no way we can separate one's health from their mental health. It is high time for us to consider these important issues and address the rights of the people in this country,” he said.

Karamat Ali, Executive Director, PILER who is also Member, Provincial Commission for Public Safety and Police Complaints noted that until and unless there is an improvement in the system of policing, the society will not progress. “The Commission for Public Safety and Policing has a role to play in containing the number of suicides in the province. The Commission can take a suo moto notice on issues of denial of fundamental rights of the citizen, especially their right to life,” he added.

Anis Haroon, senior human rights activist, who has also served as Caretaker Provincial Minister for Women Development and Human Rights, and Member Sindh, National Human Rights Commission noted the contradiction in the narrative about Tharparkar in the backdrop of the recent development work in the region. “Even though we are told that Tharparkar is flourishing, unfortunately, the increasing ratio of suicide cases suggests a different picture altogether.”

Anis Haroon added that depression is curable and so are other mental illnesses. However, the lack of a comprehensive health policy is the reason why we cannot tackle the issue. She demanded that the media too must address the issue as a priority. “No programme on television has covered suicides in their analysis. People feel isolated and hopeless at the state of affairs in our country. The powerful rulers are oblivious to what is happening in the country. This is what needs to be discussed,” she opined.

The Provincial Ombudsman for The Protection Against Harassment of Women at The Workplace,

**"Even though we are told that Tharparkar is flourishing because of the new development work, increase in suicide cases suggest a different picture." - Anis Haroon, senior human rights activist and Member Sindh NCHR**

Justice (Retd) Shahnawaz Tariq expressed that issues of workplace harassment cannot be disassociated with suicide cases. “Women who are subjected to harassment undergo immense mental trauma and attempt suicides in the absence of redress. This is why it is important to address the issue.”

The session was concluded with the launch of the Annual Report 2018-19 of SHRC. Moreover, a set of recommendations on the theme of the session was also presented. SHRC has taken it upon itself to take the recommendations to the appropriate forums and follow it as a guideline for its legislative and policy review work on suicide and mental health. Key points of the recommendations are presented below:

- ◆ Cases of suicide attempts should not be tried under criminal proceedings.
- ◆ Call centres and helplines for psychosocial support and prevention of suicide should be established, especially for women victims of abuse and sexual harassment.
- ◆ An amendment in the law should be made to ensure the reporting of suicide cases. This is because several suicide cases received by the police and medico-legal personnel are portrayed as accidents.
- ◆ People suffering from mental health issues should be given access to treatment and care facilities, regardless of their social class.
- ◆ Mental health rehabilitation centres should be established to cater to cases related to mental illness. Rehabilitation centres for drug addiction should be separated from the facilities treating mental health patients.
- ◆ Long-term planning to cater to this issue must be brought on the table instead of focusing on short-term solutions.
- ◆ The state must prioritise psychosocial counselling and ensure its provision to even school-going children.
- ◆ There should be a stricter set of punishments for harassment, especially sexual harassment, since it causes immense amount of trauma and distress to the victims. At times, it also leads to depression and suicidal thoughts.

## **Awareness Sessions**

In 2019 and 2020, awareness sessions were conducted in three major regions: Matiari, Khairpur and Karachi. Member Commission Pushpa Kumari and Public Relations Officer SHRC Fareeda Memon conducted these sessions. A brief overview of the sessions is presented below:

### **District Matiari**

The session was held on January 19, 2020 in Matiari. It was attended by around 100 people, with the

majority being women from marginalized communities. Member Commission Pushpa Kumari presented a detailed introduction of the powers and functions of the Sindh Human Rights



SHRC Member Civil Society Pushpa Kumari conducting awareness sessions with local communities in Matiari and Khairpur.

Commission and the complaint handling mechanism at SHRC. She highlighted the role of the Commission as an independent entity entrusted to protect human rights of the citizens of Sindh. She encouraged participants to approach the Commission for the resolution of their complaints on human rights violations.

Following her presentation, the floor was open for comments and queries from the participants. One of the most important issues highlighted by them was the frequent displacement of people due to non-registration of *kachi abadis*. They also complained of inaccessibility of health, education and basic civic facilities. SHRC is planning to hold further consultations to develop a report and recommendations to ensure meaningful engagement and explore solutions to address the right to shelter for the meeting participants.

### **District Khairpur**

A similar session was held in village Bhaghal Bhambro, District Khairpur, on February 18, 2020. The session was conducted by member SHRC Pushpa Kumari. It was attended by around 200 people from the local community.

During the interaction, the participants highlighted the local challenges. It was learnt that the village Baghal Bhambro and seven other villages in the surroundings were deprived of basic healthcare facilities. A follow up with local stakeholders is being pursued to explore areas for suo moto notice and recommendations that would be presented to, and followed through, with the concerned departments.

### **Karachi**

The Commission conducted a number of orientation meetings during the reporting period. These were both group meetings as well as one-on-one meetings. These awareness sessions facilitated an understanding of the work of SHRC among stakeholders from the legislature, bureaucracy and local community and open doors for collaboration.

### **Meeting with MPAs:**

SHRC held a meeting with female members of the Sindh Assembly on September 17, 2019. The objective of the session was to provide MPAs with detailed overview of the functions of the

Commission and explore collaboration, especially with regard to the resolution of human rights violation cases and review of legislation.

The session was attended by MPAs Sajeela Laghari, Shahnaz Begum Tanzeela-Ume-Habiba, Heer Soho, Hina Dastegeer, Nida Khohro, Syeda Marvi Rashdi, and Shaheena Sher Ali. Farhat Seemen, MPA and Member SHRC also participated in the meeting.

**MPAs pledged to work alongside SHRC to follow up on human rights violation complaints.**

The orientation meeting was led by PRO SHRC Fareeda Memon who briefed the members Sindh Assembly about the Commission's mandate and work. She also highlighted the complaints covered by the Commission and urged the participants to consider establishing linkages between the constituency work of the MPAs and SHRC's inquiries into the rights violation cases. Moreover, she highlighted the legislative review work of the Commission and shared pertinent thematic areas that demand legislative overhaul, given the specific human rights context of the Sindh Province.

Following the session, MPAs shared that they were not aware of the work of the Sindh Human Rights Commission and found the meeting useful. They found the fact-finding visits of the Commission as particularly important since it sought to investigate complaints and provide relief to the complainants in an effective manner. They also expressed their keen interest over the Commission's mandate to notify to the Government cases of negligence by public servants. They pledged to support the Commission and work alongside it in following up on complaints filed with SHRC.

The MPAs also pointed to the need for coordination among the departments that are working on the cases. Ms Heer Soho shared that she is a member of the Sindh Assembly Standing Committee on Human rights and would like to invite SHRC for orientation with other members of the Committee.

The exchange was useful in developing linkages with members Sindh Assembly and securing their support and cooperation on Commission's human rights work.

### **Meeting with local community in Lyari:**

An orientation meeting was organized in Lyari with the local community in the office of the Lyari Community Development Project on March 11, 2020. The Lyari Community Development Project (LCDP) is a veteran civil society organization working for the welfare of the disadvantaged and marginalized people of Lyari, Karachi and beyond.

Fareeda Memon, PRO, Sindh Human Rights Commission gave a presentation on SHRC's structures, powers and functions, the cases attempted by the Commission and policies reviewed by it. The LCDP discussed their work in the community and pertinent challenges faced by the Community. The LCDP was encouraged to view development related cases from a human rights prism and approach SHRC for any violation of the rights of the local community.

### ***Meetings with Department Secretaries:***

As a part of its outreach to departments, SHRC held meetings with the secretaries of the following Departments:

1. Board of Revenue
2. Sindh Education and Literacy Department
3. Finance Department
4. Health Department
5. Local Government Department
6. Social Welfare Department
7. Women Development Department

In the one-on-one meetings held with the secretaries and director generals of government departments, the Commission highlighted the cases pertaining to the respective departments. The departments were urged to appoint a focal person so that cases could be addressed on time. By the end of 2020, six departments had nominated their focal persons that are now actively working with the Commission for the resolution of cases pertaining to their respective jurisdictions.



SHRC staff Fareeda Memon and Adnan Khashkhely in a meeting with Special Secretary Local Government Department Khalid Chachar to finalise appointment of focal person from the department.

## Visits Conducted by SHRC

According to the mandate underlined in Section 4(iv) and (ix) of the powers of the Commission, the Sindh Human Rights Commission is empowered 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.”

SHRC organises periodic visits to various parts of Sindh. These visits are led by the Commission's Chairperson and members. The itinerary is designed to cover an in-depth review of government facilities such as hospitals, jails, and Dar-ul-Amaans, and meetings with government officials including district administration, education, health and police officials, district and sessions judges, bar associations and civil society activists. Additionally, the Commission is also assisted by local focal persons who aid in highlighting critical issues of the district.

These meetings help in drawing a clearer picture of the region's local context and facilitate an assessment of the challenges to human rights in the concern district.

During the visits, hearings are organised with complainants from the region under visit. Police, district and other concerned officials are engaged to resolve complaints either at that very point, by issuing necessary letters and orders, or at the earliest. The Commission maintains a follow up of cases upon return to headquarters in Karachi. For the follow up, focal persons and local NGOs are also engaged to ensure independent information on progress in the cases inquired at the district level.

Moreover, as a key requirement of the SHRC's mandate, the report of the visits and recommendations are documented by the Commission. These are shared with departmental secretaries, and offices of the Chief Minister of Sindh and the Chief Secretary.

Over the years, the visits have helped build connections with local stakeholders from the district administrations. It has been noted that now they pursue swift action in case of complaints about human rights violations flagged by SHRC.

From July 2019 to December 2020, SHRC undertook visits to several districts. These visits were led by Chairperson SHRC Justice (Retd) Majida Razvi, Members Judicial SHRC, Syed Hassan Shah Bukhari and Muhammad Aslam Shaikh. They were assisted by Superintendents Complaints, Enquiries and Suo Moto, Adnan Ali Khaskhely, Zaheer Ahmed and Sarfraz Ahmed Jamali.

**During the visits, hearings are organised with local complainants. Police and district officials are engaged to address the complaints. The Commission also maintains a follow up of the cases upon return to the Karachi HQ.**

The geographical areas covered in 2019-20 include:

1. District Shikarpur
2. District Jacobabad
3. Kandhkot, District Kashmore
4. District Thatta
5. District Sujawal
6. District Badin
7. District Tando Muhammad Khan
8. District Qambar Shahdadkot

Following are the details of the visits organised by SHRC in the reporting period. Recommendations filed by the Commission are also shared.

## District Shikarpur

Chairperson Sindh Human Rights Commission, Justice (Retd) Majida Razvi led the visit to District Shikarpur on October 9, 2019, along with Member Judicial-II Muhammad Aslam Shaikh and Superintendent Complaints, Enquiries & Suo Moto, Adnan Ali Khaskhely.

The Chairperson held meetings with Assistant Commissioner Ali Raza Ansari (ADC-I), District Education Officer (Primary & Secondary), District Health Officer, representatives from Social Welfare, Women Development, and Public Health Engineering departments, civil society, and local media.

Chairperson SHRC Justice (Retd) Majida Razvi also held meetings with District and Sessions Judge, Shikarpur Iqbal Ahmed Khwaja, along with his team which included additional judges, civil judges and judicial magistrates. The agenda incorporated a discussion on the

**Tribal clashes are prevalent in Shikarpur. Disputes on water, land use, cattle theft and matrimonial affairs escalate into violent battles that last for generations.**



Chairperson SHRC Justice (Retd) Majida Razvi and Secretary SHRC Abida Lodhi in a meeting with media and civil society in Sukkur.





Meeting with District and Sessions Judges Shikarpur.

overall human rights situation in the district, and the prospects for human rights in the light of the Supreme Court judgements on minority rights and jirgas.

Highlights from the sessions on human rights situation with different stakeholders are as follows:

- ◆ Tribal clashes are prevalent in District Shikarpur. There are around 23 major tribes residing within the territorial jurisdiction of the district. Many of these have been at loggerheads with each other for decades. Minor disputes such as those on water resources, land use, cattle theft and matrimonial affairs escalate into serious battles that last for generations.
- ◆ The impact of these disputes is evident on all aspects of life. Due to deteriorating law and order situation, healthcare workers are unable to run the Basic Health Units (BHUs) and Rural Health Centres (RHCs). As a result, these services are mostly closed in the rural areas which directly affects polio campaigns and maternal healthcare.
- ◆ The local economy too is severely crippled. No member of conflicting tribes can move freely and tend to their agricultural lands or work in the nearest villages over fear of getting attacked by the opposing tribe. This ultimately leads to extreme poverty. Consequently, people opt for anti-social and criminal activities.
- ◆ Locals are unable to arrange social gatherings, local festivals and marriage ceremonies in fear of violence.
- ◆ Majority of civil and criminal matters in the area are settled at the forum of the jirga. Police also prefers referring cases to jirga, which is a violation of the Honourable Supreme Court's relevant orders.
- ◆ Lack of access to clean drinking water was repeatedly flagged in the meetings. There are 55 Reverse Osmosis (RO) plants in the district. Out of these, only 17 were functional.

- ◆ There is no HIV/AIDS screening centre in Shikarpur. Despite the recent outbreak of HIV cases in Ratodero (which is close to Shikarpur), there have been no awareness campaigns about the disease in the district.
- ◆ Even though 7,000 cases of dog bites have been reported from the district, shortage of anti-rabies vaccine within the government health facilities remains.

## District Jacobabad

SHRC team, led by Justice (Retd) Majida Razvi, visited District Jacobabad on October 10, 2019. During this visit, SHRC held meetings with stakeholders, which included District Jacobabad's Additional Deputy Commissioner, Assistant Commissioner, District Education Officer (Primary & Secondary), District Health Officer, and representatives from Social Welfare, Women Development, Public Health Engineering departments, civil Society, and the local press. The Commission also conducted a public hearing at the office of Deputy Commissioner Ghazanfar Ali Qadri. Around 150 participants from general public were also present.

Highlights from the discussions on the situation of fundamental rights in the district are listed below:

- ◆ Tribal scuffles over petty issues are prevalent in the district. These end up in full-fledged wars between the tribes and cause serious risk to the lives of the locals.
- ◆ Despite the availability of adequate educational infrastructure in the district, the literacy rate is abysmally low.
- ◆ Similarly, there is shortage of doctors, medical and para-medical staff owing to the poor state of law and order in the district.
- ◆ Jacobabad faces water shortage too, due to poor access to water lines. However, a water supply scheme is near completion which may resolve the problem to some extent.
- ◆ Safe houses functioning under the Women Development Department of the Government of Sindh are in need of security staff.
- ◆ Hindu Panchayat leaders complained about delay in the panchayat elections. Due to this, there is no space for democratic decision-making in the panchayat. They feel this also reinforced the monopoly of non-representative actors over the powers and resources of the religious minority community.
- ◆ The district has a serious problem with regard to women's protection. It was repeatedly pointed out that there are certain groups in the town that harass women at public places, restricting their mobility and threatening their safety. There have been limited efforts towards addressing this issue.

**There is shortage of doctors and medical staff owing to the poor state of law and order in Jacobabad.**

- ◆ In terms of civic issues, members of the public present at the consultation drew the Commission's attention towards traffic jams due to the influx of Qingqi rickshaws. Chairperson SHRC asked the DC to immediately devise and execute a plan of action to regulate the traffic flow.
- ◆ During interactions, SHRC noted very limited awareness and understanding of consumer rights among citizens and the civil society. Chairperson SHRC highlighted the Sindh Government's orders to form consumer courts across all districts and urged the district authorities to use communication tools to disseminate knowledge about the courts, so that the public could make use of these forums for related grievances.

## Kandhkot, District Kashmore

SHRC team, led by Chairperson Justice (Retd) Majida Razvi, visited Kandhkot city in District Kashmore on October 10, 2019. During this visit, she chaired a meeting with Munawar Ali Mithani, the Deputy Commissioner District Kashmore and Kandhkot. The meeting was attended by Additional Deputy Commissioners, Assistant Commissioners, District Education Officer (Primary & Secondary), District Health Officer and representatives from the Social Welfare, Women Development, and Public Health Engineering departments. Civil Society and media also joined these meetings.

To discuss overall human rights situation in the district, the Chairperson also held a meeting with the district and sessions judge and additional district and sessions judges, civil judges and judicial magistrates.

The details of deliberations from SHRC's engagements observed during the engagement with the stakeholders are listed as follows:

**Civil society pointed out police's negative role in tribal conflicts. Disputes are referred to the jirgas in contravention to the law.**

- ◆ Tribal conflicts in Kashmore and Kandhkot are of similar nature as that of Shikarpur and Jacobabad. However, these are more prevalent in Kashmore compared to other districts in Sindh.
- ◆ During discussions, the locals repeatedly pointed to the unsatisfactory role of the police in the face of the deteriorating law and order situation. Senior police officials were termed as largely inactive and irresponsible, making little effort to address violence in the region. Civil society and members of the media pointed out that in majority of the cases, the police department refer the disputes to jirgas, in contravention of the law.
- ◆ Locals complained about the performance of the health department with compromised facilities and lack of availability of medicines. Likewise, the condition of the elementary and higher secondary education was also described as inadequate and in need for more attention.
- ◆ Local civil society also complained about the poor situation of sanitation and hygiene.
- ◆ Due to lack of awareness about consumer rights, no cases were being reported at the consumer courts.

## Recommendations

Drawing from SHRC's own observations and the opinions and experiences shared by different stakeholders, as well as those of the general public, the following recommendations were prepared by the Commission. These recommendations have been shared with the relevant provincial authorities.

- ◆ There is need for dismantling the 'Jirga System' which promotes a culture of parallel justice. The jirga system may be deterred through institutionalisation of the 'Alternate Dispute Resolution'. Legislative steps may be taken by the Government to introduce and form an 'Alternate Dispute Resolution Authority' to provide legally acceptable arbitration and settlement solutions all over the province.
- ◆ As per the police's report, FIRs are lodged against miscreants on a regular basis and consequently they are challaned before the concerned courts. However, most of the proclaimed offenders and absconders usually take safe haven in the *katcha* area. Police does not have the necessary resources to carry out operations in the dense and inaccessible forest land. SHRC recommends providing resources and equipment to the police. It is also recommended that the forest area be regularised. The Government should initiate roads and communication networks to promote accessibility, so that criminals are unable to use these lands as a hideout.
- ◆ There is no bridge within a stretch of about 200 kms between Sukkur and Guddu Barrage. Most criminal hideouts of Teghani, Sabzoi, Jagirani and Shar tribes are settled in the *katcha* area between Sukkur and Guddu Barrage. Therefore, the Government of Sindh should build a bridge between Sukkur and Guddu barrage in order to ensure connectivity and promote convenient access to the state apparatus for law and order control.

**According to police, criminals take refuge in the *katcha* area. The police does not have the necessary resources and equipment to carry out operations in the dense forest lands.**



Chairperson SHRC Justice (Retd) Majida Razvi, Secretary SHRC Abida Lodhi and Member Commission Zulfiqar Shah addressing a press conference in Karachi to share details of SHRC's visit to the northern region of Sindh.

## Post Monsoon Humanitarian Crisis Visits

### District Thatta

Judicial Member-I Syed Hassan Shah Bukhari visited District Thatta on September 30, 2020. He was accompanied by Superintendent Complaints & Enquiries, Zaheer Ahmed. The visit was aimed at monitoring relief activities and provision of facilities following a round of flash floods that had massively hit the province and brought life to a standstill in many districts.

During the visit, SHRC team met Deputy Commissioner Thatta, Usman Tanveer; Assistant Commissioner Gharo, Saleem Memon; SSP District Thatta, Dr. Muhammad Imran; DHO District Thatta, Dr. Muhammad Hanif; and Medical Superintendent of RHC Gharo, Dr. Nizamudin Khaskheli.

According to the briefing by district officials, a total of 383,260 people in the district were affected by the heavy rains followed by the flash floods. Over 900 houses were fully destroyed, while 11,566 houses were partially damaged.

The Commission was apprised that 19 health facilities in the district were hit by the flash floods. Therefore, mobile health units were arranged to cater to the displaced residents. Six mobile medical units, including two mobile hospitals were provided to the district by the provincial health department that operated in different areas of the district. Health officials also informed that 9,226 patients received free treatment in the medical camps established by the department. Health awareness sessions were also conducted by the department in different rain affected areas.

### District Sujawal

In Sujawal, SHRC Judicial Member-I Syed Hassan Shah Bukhari held meetings with Deputy Commissioner Muhammad Ismail Memon, Senior Superintendent of Police Suhai Aziz Memon, and District Health Officer Dr. Shahnaz Khuwaja. During this meeting, officials briefed the SHRC team about losses and relief activities after heavy rains and the Covid outbreak.

The Commission was briefed that 216,139 people were affected in District Sujawal, while 11,064 houses were completely destroyed and 20,800 were partially damaged as the rains wreaked havoc in the area. Relief activities were carried out by the Government of Sindh, Provincial Disaster Management Authority, National Disaster Management Authority and Saylani Welfare Organizations.

As a part of the Covid-19 pandemic control measures, a contingency/security plan was developed by the police, under which 774 police personnel were deployed in the district to ensure implementation of Covid SOPs.

Meanwhile, health department had set up two mobile hospitals and four mobile medical units in different areas of the district, wherein 6,555 people had received medical treatment. Many were served in the free medical camps established in the locality. Anti-malaria and fumigation sprays were also carried out at the levels of municipal committees, town committees and different UCs that were affected by the flash floods.



SHRC Member Judicial-I Syed Hassan Shah Bukhari held meetings with district officials, including District Deputy Commissioner Dr Hafeez Ahmed Siyal and District Health Officer Dr Liaquat Qambrani in Badin.

### District Badin

In Badin, SHRC team, led by Member Judicial-I, Syed Hassan Shah Bukhari met the District Deputy Commissioner Dr. Hafeez Ahmed Siyal, Senior Superintendent of Police Shabeer Sethar, and District Health Officer Dr. Liaquat Qambrani. The officials briefed the SHRC's team on the relief activities undertaken after the destruction caused by the flash floods and the Covid outbreak.

Due to its topography, District Badin is prone to rain and flood-related calamities, which severely impacts the local population. This year, heavy rains led to breaches in protection dykes. In addition, there was also overflowing of the Left Bank Outfall Drain and irrigation canals resulting in acute flooding.

**Due to its topography, district Badin is prone to rain and flood-related calamities that have a severe impact on the local population.**

SHRC was informed that a total of 295,460 people were affected due to the rains. According to the district administration, relief activities were conducted and flood water from towns, villages and agricultural lands was drained out with the help of coordinated efforts by the Irrigation Department of the Government of Sindh, Pakistan Army, Pakistan Navy, and non-governmental organizations. However, locals still faced numerous issues due to rain-led destruction.

### District Tando Muhammad Khan

To assess post-rain and post-Covid situation in Tando Muhammad Khan, SHRC team led by Member Judicial I Syed Hassan Shah Bukhari held meetings with Deputy Commissioner Yasir Bhatti, Senior Superintendent of Police Abid Baloch, and District Health Officer Younis Jahejo .

The Commission was briefed on the post-rain relief activities , which were carried out with full adherence to Covid SOPs across the district. However, due to delay in the relief work protests erupted in some areas of the district. The administration dealt with the protests through dialogue.

The Health Department also established medical camps in 11 villages, where around 4,000 people had received different treatments. In addition, 18,994 Covid tests were also conducted among the affected population.

## Observations

Apart from the issues highlighted by stakeholders at the district level, SHRC listed its observations based on the review of facilities and engagements with district and health officials. These observations are listed below:

- ◆ Some of the buildings such as the Government Girls Primary School Gharo, DHQ Thatta, and Government Hospital Sujawal are required to be repaired on an urgent basis.
- ◆ There were complaints regarding shortage of medicines at government hospitals of Sujawal, Thatta and Tando Muhammad Khan. These require immediate response.
- ◆ Paramedical staff at District Badin was not being paid an extra allowance announced by the Government for carrying out their duties during the peak Covid period. Denial of rightful incentives result in demoralising of the health staff.
- ◆ Shortage of ambulances was noted in Badin. Only two ambulances were available at the Civil Hospital. One of them was out of order.

These observations and recommendations were sent to the relevant authorities of the Government of Sindh soon after the visit was concluded.

**SHRC noted that school buildings needed urgent repair in Thatta. Moreover, there was a shortage of medicines in Sujawal, Thatta and Tando Muhammad Khan. These required urgent response due to the risk of disease outbreak.**

## Visit to follow up on Complaints

### Shahdadt

SHRC had been receiving complaints from Taluka Shahdadt about the poor quality of sanitation, health and education facilities in the district. To follow up on these complaints, Chairperson SHRC sent a team under SHRC Member Judicial-II Muhammad Aslam Shaikh to visit the district and investigate the complaints.



Judicial Member-II Muhammad Aslam Shaikh visited Taluka Shahdadt to follow up on growing complaints filed with SHRC on poor condition of sanitation in District Shahdadt.

SHRC Member Judicial-II Muhammad Aslam Shaikh visited Taluka Shahdadt of District Qambar Shahdadt on November 4, 2019. Superintendent Complaints & Enquiries, Suo moto Sarfraz Ahmed also joined the visit.

In Shahdadt, the SHRC team visited the Government Main Primary School 01, Government Boys Secondary School 01 and Taluka Hospital. The team held meetings with Assistant Commissioner, Shahdadt, District and Taluka Education Officers, Medical Superintendent, Taluka Hospital, Secretary District Regional Transport Authority of Larkana Region, Deputy Superintendent of Police of Shahdadt, SHO Police Station I & II of Shahdadt, and other government officials. The team engaged social activists from Qambar Shahdadt in order to assess the human rights situation in the area. SHRC also interacted with the local media to brief them on the visit.

Highlights and observations from the visit are as follows:

**The Govt Main Primary School in Shahdadt has no safe drinking water facility. Washrooms' construction is awaiting budget allocation. Laboratories and classroom desks are also required.**



- ◆ There is no safe drinking water facility at the Government Main Primary School, Taluka Shahdadkot while the water supply line of the Government Boys School requires replacement. Team SHRC directed the concerned authorities to ensure the provision of basic facilities to the students and staff.
- ◆ It was observed that the number of washrooms and urinals at the schools were not sufficient. The allocated budget also does not meet the requirements due to which construction work of the classrooms and laboratories is pending. The SHRC team was appraised that several letters were sent to the high-ups to fulfil such basic demands but to no avail.
- ◆ Moreover, desks and other necessary furniture is required at both the schools. Positions, such as those of clerk, gardener and sweepers, lie vacant.
- ◆ The students are also exposed to safety risks as the Main Primary School is situated at a busy road with high traffic and potential for accidents. The Government Boys Secondary School needs a compound wall for the safety of the students. Taking cognisance of the issues, the Commission recommended that necessary action may be taken by the authorities for protection and security of the students.

### **Taluka Hospital, District Shahdadkot**

Judicial Member-II Mr. Muhammad Aslam Shaikh met with medical superintendent of Taluka Hospital and inspected the facility. The SHRC team also inquired from the patients about the quality of services offered to them and took account of the complaints.

Water-borne diseases, due to lack of access to clean drinking water and hot temperature, were highlighted as major issues faced by the residents of Taluka Shahdadkot. Moreover, the SHRC team also found that the Taluka Hospital is in dire need of a dialysis centre for treatment of growing number of kidney patients. Dialysis facilities available in the Larkana Division were inaccessible and insufficient to cater to patients from Taluka Shahdadkot. SHRC strongly recommended setting up of a dialysis centre at the Taluka Hospital on an emergency basis. The aforementioned recommendation was forwarded to the Government of Sindh.

Moreover, the SHRC team was informed that no medical specialists had been appointed at the hospitals, except the dental and eye specialists. Despite vacancies, there has been poor response to the government's efforts to induct health professionals in the local hospitals. In addition, shortage of medicines, especially life-saving drugs, was also identified at the hospital, on account of non-procurement.

**Water-borne diseases are common due to the lack of clean drinking water in Taluka Shahdadkot.**

## Observations

The SHRC team conducted several meetings with government authorities and social activists to assess the overall situation of Taluka Shahdadt. Observations based on the discussions during the visit are outlined below. These were also shared with the concerned departments.

- ◆ Many hospitals in District Shahdadt lack basic medical equipment and facilities. DHQ hospital has no emergency ward. Shortage of doctors also remains a matter of concern.
- ◆ The drilling companies in these districts, exploiting local oil and gas resources, have made no contribution to the uplift of the local economy. They neither provide jobs to the locals nor do they give royalty, which is their legal obligation. The non-compliance of the drilling companies to their legal and ethical responsibilities has reinforced a sense of dejection and hopelessness among the local population.
- ◆ There were also many complaints by the locals regarding cleanliness, drainage and mobility issues. These were brought to the knowledge of the municipal authorities who were directed to resolve the public issues immediately.
- ◆ There is need for a disinfection and fumigation campaign in the rural and urban areas of the district. In addition, a vaccination campaign is also needed, so that local citizens can be protected from malaria, dengue, typhoid, and other illnesses.

## Special visit to Tharparkar

In response to numerous complaints regarding illegal extraction of granite from Nagarparkar consequently endangering the environment, and cultural and religious heritage, SHRC undertook a visit to Tharparkar on November 26-27, 2019. Alongside, the Commission also met stakeholders to discuss reports on the increasing trend of suicides in Tharparkar and also non-receipt of the financial aid announced by the Government to the victims of a thunderbolt strike in Islamkot.

The visit was led by Chairperson SHRC who was assisted by Adnan Ali, Superintendent, Complaints, Enquiries & Suo Moto. Prominent social and human rights activist from Tharparkar, Krishan Sharma, Pushpa Kumari, Member SHRC also accompanied the Chairperson, providing local context and insights during the visit.



Local community and civil society activists explaining issues with the ongoing mining activity at Karoonjhar Hills during SHRC's field visit to the region.

**SHRC received several complaints and news reports about the public discontent over the extraction of granite from Karoonjhar Hills in Nagarparkar.**

### Mining at Karoonjhar Hills in Nagarparkar and Reports of Violation of Labor Laws

The Commission received complaints and also news reports about the public discontent over the extraction of granite from Karoonjhar Hills in Nagarparkar. Moreover, there were complaints and reports over severe violation of labor codes in mining activity in Tharparkar. Furthermore, questions had also been raised about the legitimacy of the mining business taking place in the Karoonjhar vicinity and the surrounding areas of Taluka Nagarparkar.

In Nagarparkar, SHRC visited Karoonjhar Hills, Bodesar Dam construction site, government-run dispensary at Bodesar, and limestone extraction site at Saankar, Union Council Virawah. A public hearing with government officials, civil society stakeholders and press representatives was also organized.

Major observations drawn from the visit to the mining site at Karoonjhar Hills are listed below:

- ◆ The Commission observed that the official view of development in respect of mineral resource exploitation does not include voices from the local community. Majority of the members from civil society organizations expressed their discontent over the massive mineral exploitation exercise in the vicinity of Karoonjhar. They cited blatant violation of fundamental rights with respect to environment and protection of religious and cultural heritage sites.
- ◆ The Commission also observed that although local labour has been engaged in the mining activity, they are hired on a very low remuneration with no medical insurance and safe working environment. Also, the mining workers are involved in hazardous process of breaking huge stones with minimum machine support, which ultimately exposes them to the severe risk of occupational health and safety.
- ◆ It was also observed that private contractors do not comply with any labor laws. They take no measures to ensure provision of protective equipment or offer health and accident coverage etc. Moreover, minor kids were also reported to have been working under harsh conditions. This is in contravention to The Sindh Prohibition of Employment of Children Act, 2017; the Mines Act, 1923; the Sindh Occupational Safety Act, 2017; the Sindh Terms of Employment Standing Orders Act, 2014 and The Sindh Labor Policy 2019.
- ◆ It is also alarming to note that the policy guiding mineral resources, the “National Mineral Policy 1995” makes no mention of the local population's rights and ownership over local mineral resources.
- ◆ There is no clause of human rights compliance with respect to labour in the contracts between the government and the mining firms. This omission practically gives a license for blatant violations of labour rights in the mining activity.

**It is alarming to note that the National Mineral Policy makes no mention of local population's rights and ownership over local mineral resources.**

Based on the observations and deliberations from the consultations with the local stakeholders, SHRC drew up the following recommendations, which were submitted to the Government of Sindh.

### **Administrative Reforms:**

- ◆ Karoonjhar Hills may be declared as a “National Park” under the Sindh Wildlife Protection Ordinance 1972.
- ◆ In view of the blatant labour rights violations and the failure of the authorities to respond to such violations, monitoring and accountability process of mines through labour inspection may be undertaken so that compliance with law and human rights could be ensured.

### **Policy Reforms:**

The Government of Sindh may reconsider and revisit the mines policy while addressing the following aspects of human rights:-

- ◆ No mining activity shall commence in any area without the consent of the local population/stakeholders. The consent process may include public hearings at the UC and Tehsil levels, with the provision for granting a legal status to the opinions of the local population.
- ◆ Prior to the awarding of a mining contract, the local population may be taken on board, providing information and education on the effects of the mining activity.
- ◆ The government should add provision for undertaking in mining agreements for ensuring compliance with the local labour laws, policy and statute. The local population may also be taken into confidence over the terms of the contract. Any agreement should be executed only after a formal consent from the local population.
- ◆ All cultural and heritage sites may strictly be exempted from any mining activities.

## Assessment of Government Facilities

SHRC visited two prison centres in Hyderabad in February 2020. The visits were led by Member Judicial-I, Sindh Human Rights Commission, Syed Hassan Shah Bukhari, assisted by Superintendent Complaints & Enquiries SHRC Zaheer Ahmed. The prisons visited included: Central Jail, Hyderabad and the Special Prison and Correctional Facility, Nara. The visits were aimed at undertaking assessment of the facilities provided to the prisoners under the law, in accordance with the powers of the Commission.

Member Judicial-I Syed Hassan Shah Bukhari and SHRC team inspected the hospital, rehabilitation centre, vocational training centre, school for the juveniles, computer centre, library and the kitchen at the aforementioned prisons. The detailed visit allowed for examining the quality of the facilities available to the prisoners as entailed in the Sindh Prisons and Corrections Services Act, 2019. A review of these facilities is presented below:

### Central Jail, Hyderabad

Established in 1894, Central Jail Hyderabad was found to be home to 2,207 prisoners against the designated capacity of 1,527 inmates, at the time of the visit of the delegation of the Sindh Human Rights Commission in February 2020.



Inspection of food and health facilities at Central Jail and Special Prison Nara, Hyderabad.

The SHRC delegation was welcomed by the Superintendent Central Jail Hyderabad, Zia-ur-Rehman. The Superintendent apprised SHRC of the on-going development work at the facility. The delegation was also informed about the skill development programs and recreational activities for the inmates.

According to the Superintendent, 63 inmates had completed different academic courses offered at the facility in the last academic year 2018-19, while 334 were enrolled for religious education. Similarly, health facilities, along with round-the-clock availability of designated medical officers and paramedics from the health and the prison departments, were ensured.

SHRC team also interviewed the inmates for an assessment of their experience. The inmates complained about the quality of the food and inadequate health facilities. Member Judicial-I issued

directives to the jail authorities to immediately resolve the complaints of the inmates regarding the quality of the food and provide improved education and health facilities. Further observations and recommendations from the visit are mentioned at the end of this section.

### Special Prison, Nara

During the Hyderabad visit, the SHRC delegation visited the Special Prison and Correctional Facility established at District Jail Nara. The facility is situated in the Sindh Industrial Trading Estate (SITE), Hyderabad on the Hyderabad-Tando Muhammad Khan Road.

Earlier known as the “King Jail” for its vast area that extends to 87.4 acres of land, the jail was established in 1873. It is one of the oldest jail facilities of the Sindh province.

Member Judicial-I Sindh Human Rights Commission, Syed Hassan Shah Bukhari met with Superintendent Nara Prison, Ashfaq Ahmed Kalwar and under-trial prisoners to interview them in detail for an assessment of the facilities provided at the jail.

At the time of the visit, 379 inmates were present in the facility. SHRC delegation toured around the facility and inspected the hospital, medical store, vocational training centre and the kitchen to assess the quality of services.

Later in the day, Member Judicial-I Syed Hassan Shah Bukhari held a meeting with the Superintendent and issued directives to improve the living conditions in the prison and ensure access to clean drinking water and healthcare services.

**154 positions at the Central Jail, Hyderabad and 42 at Nara Special Prison have been lying vacant. Water filtration plant at Nara Prison was dysfunctional.**

### Observations and Recommendations

Following observations and recommendations were drawn from the visit to the two prison centres in Hyderabad:

- ◆ 154 positions at the Central Jail Hyderabad and 42 at the Nara Special Prison were found as vacant. These are required to be filled at the earliest.
- ◆ The sanctioned strength of the paramedical staff at both the jails (Central Jail Hyderabad and Nara Special Prison) was found to be falling short of meeting the requirements. There is no Pathology Laboratory at the Nara Prison to carry out basic assessment of the ailing inmates. Moreover, there is need for necessary machinery such as X-Ray machine and portable ultrasound machine.
- ◆ Water filtration plant was observed to be dysfunctional at the Nara Special Prison. Existing water facilities need to be repaired and new ones to be installed at the centre to ensure provision of safe drinking water for the prisoners.
- ◆ The residential quarters, including the residence of the Superintendent of the Nara Special Prison, are in dire need of repair.

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



# 4

## Section



## Recording Complainants' Experiences

The following section is based on the interviews of individuals who had filed complaints with the Sindh Human Rights Commission over human rights violations. Due to SHRC's interventions, inquiries and recommendations, the cases of some of the complainants have been resolved. Other complainants struggled despite due course of inquiry and recommendations as the Commission does not have the power to implement their recommendations. Nonetheless, the experiences of select complainants have been recorded to inform readers about SHRC's complaint-handling processes and its impact on rights violations pleas.

The section presents a brief round-up of select cases filed with SHRC in 2019 and 2020 followed by experiences of the complainants, which have been recorded through interviews. Names of some of the complainants have been changed for privacy reasons.

**Petition No. 1737/2019**

### **NON-PAYMENT OF RENT**

**Karachi**

SHRC received a complaint from a woman Mrs R, who had rented out the first floor of her house in Gizri, Karachi to a tenant Mr S. She complained of non-payment of dues from the tenant since 2017. During that time, the tenancy agreement had also expired. Mrs R stated that her husband has passed away and this rent is her sole source of income.

The Commission sent a notice to Mr S to appear in person before SHRC. However, he refused to comply. Due to his non-cooperation, SHRC directed the Station House Officer, Gizri Police Station to serve a notice upon the tenant and produce him before the Commission for further action.

Mr S eventually appeared before the Sindh Human Rights Commission and submitted the statement that he is ready to release the overdue rent payment to the petitioner Mrs R. SHRC verified with Mrs R about the authenticity of Mr S' claims. She also submitted that she has received her overdue rent payment. Following her verification, the case was closed.

We spoke to Mrs R about her experience of engaging the Sindh Human Rights Commission. She shared the following:

“My experience of working with the Sindh Human Rights Commission was very good. I can say that SHRC is the only organisation in Sindh that responds to citizens' complaints promptly. I really respect their concern and dedication towards addressing rights violation petitions without any bias.

“Taking up my complaint with SHRC saved me time. If I had gone to court, it would have been a lengthy procedure. As we know, Pakistan's constitution and law provide for human rights as fundamental right of every citizen. More people would turn to SHRC if they had better awareness of their rights.”

**Petition No. 1892/2020**

## **CASE OF NON-PAYMENT OF SALARIES TO EMPLOYEES**

**Khairpur**

SHRC received a complaint from a group of employees of VTT Global (Private) Limited, Khairpur, in February 2020. According to the complainants, their employer VTT Global had not been paying their salaries since November 2018. They had complained at the executive level at VTT Global; however, no action was taken. Hence, they approached the Sindh Human Rights Commission for assistance for clearance of their dues.

SHRC conducted a formal verification of the case, reviewing documents and interviewing the complainants. Following this, a notice was issued to M/S VTT Global Private Limited for filing comments. In their reply, VTT Global stated that they had a working partnership with the Sindh Education Foundation. The Foundation was taking time to clear their dues. The dues were paid in the first week of July 2020 only. Following this, VTT released salaries of the employees. The complainants were contacted by SHRC to verify the claims of VTT Global. They confirmed receiving their salaries.

We asked one of the complainants, identified as Mr S, to share his experience of working with SHRC for his complaint redressal. Here are his views:

“When we filed our complaint, the Sindh Human Rights Commission provided instant help and took strict notice of the denial of wages to all of us for such a long period. It was their stern notice that generated a response from our employers.

“In my view, SHRC should open an office in every district so that more people can benefit from their work.”

**Petition No. 1943/2020**

## **APPOINTMENT ON DECEASED QUOTA**

**Hyderabad**

The Sindh Human Rights Commission received an application from Ms Haseena, widow of late Khadim Hussain who had served in the police department for 28 years before he died of cancer in early 2019.

Ms Haseena requested note of non-compliance of the police department to the system of allocating a seat to the son of a deceased police official.

Late Khadim Hussain and Haseena's son had applied for a job with the police department on the deceased quota, submitting relevant documents with the Inspector General Office, Karachi in April

2019. However, the police department did not respond to the application, which led Ms Haseena to file a petition with SHRC.

The Sindh Human Rights Commission sent a letter to the Inspector General of Police, Sindh for considering the application of the widow and speeding up the process. The IG Police followed up on SHRC's letter and released the appointment letter of the late constable's son against the deceased quota.

SHRC interviewed Haseena, wife of late Khadim Hussain, who had originally filed the petition with the Commission. Excerpts from her brief interview about her experience with the Sindh Human Rights Commission are presented below:

“I am very thankful to the Sindh Human Rights Commission for their timely response and follow up on our complaint. I had visited so many government offices for my case. However, no one pursued any action.

“I was losing hope, when somebody told me about the Sindh Human Rights Commission. I visited them, and they guided me on filing a complaint. I found them to be very committed to resolving my issue. It is with their sincere help that the long-standing problem of my son's appointment on his father's deceased quota was resolved.

“The Sindh Human Rights Commission should work on raising awareness about their services in the province, so that more people could benefit from it.”

#### Petition No. 1802/2020

## PROPERTY CONFISCATION AND ILLEGAL SALE

### District Jacobabad

Two sisters Musarrat and Wazeeran from Jacobabad approached the Sindh Human Rights Commission in late 2019. They pleaded that their brother had illegally confiscated and sold off their joint properties, inherited from their deceased parents. These properties were located in Jacobabad and Karachi. They had filed a court petition for the release of the property in Karachi. However, the Jacobabad property was just recently sold to a buyer and this act was in contravention to the relevant provisions of the law that provides for agreement from rightful owner(s) before a sale deed is processed.

SHRC issued a notice to Deputy Commissioner Jacobabad to investigate the matter and present a report. The investigation revealed that the Jacobabad property was indeed sold illegally by Musarrat and Wazeeran's brother. However, the sale deed was not finalised. It also emerged that the local *mukhtiarkar* was involved in the illegal sale of the property.

SHRC worked alongside the DC Jacobabad to resolve the dispute and facilitate payment of the due share to Musarrat and Wazeeran. On SHRC's directives, the DC organized meetings between the

siblings. These meetings led to an agreement for a settlement. The brother agreed to pay the sisters their due share in six monthly instalments, according to the current market rate of the property.

The Commission followed up with the sisters who confirmed receiving due instalment payments from their brother. The case was then closed.

SHRC spoke to Raheel, son of Musarrat, to share his experience of working with SHRC. Raheel handled the paperwork and followed up on the case on behalf of his mother and maternal aunt. Raheel's response is shared below:

“Our experience has been very good. SHRC Chairperson and staff took time out to listen to us. They issued notices to the Deputy Commissioner and concerned officials. Their notices commanded respect from the DC who responded very quickly. We always got a good response from every authority that was contacted by the Sindh Human Rights Commission for our case.

"For us, the most valuable point was timely response from the Commission. Unlike other government departments, SHRC did not waste our time. If any department took time to respond to the Commission's notification, they were sent repeated reminders. That helped us. We have been struggling to get our case resolved for many months. With SHRC's help, we resolved our case in a matter of five months.

“We need SHRC to have more power and authority. If a government department refuses to respond, the Commission should have the power to initiate action against them. It is unfortunate that SHRC and Mohtasib e Aallaa (Ombudsperson) have not been empowered enough by the government. Any rights-based initiative can only succeed if it has the power to implement its mandate.”

### Petition No. 1897/2020

## DENIAL OF PROMOTION AND WRONGFUL TERMINATION

### Karachi

In February 2020, a couple, Saba Imran and Imran Asad approached SHRC over the matter of wrongful termination from the National Institute of Cardiovascular Diseases (NICVD), where they worked as clerk and computer operator respectively. Saba's appointment was confirmed in 2011 while Imran's job was confirmed in 2009. However, despite working for around a decade, both of them never received promotion from NICVD.

After taking up the matter with the higher-ups in the institution, Saba filed a petition with the High Court.

According to Saba, soon after the High Court petition, they started facing harassment at workplace. Saba was initially asked to withdraw the petition filed with the Sindh High Court. When she refused, she was sent explanation notices, which she described as “unnecessary”. Meanwhile, the salary of Saba's husband was also withheld without citing any reason.

Weeks later, Saba was suspended. The suspension letter neither outlined any reason nor did it mention any procedure of inquiry.

When Saba approached SHRC in February 2020 for her case, she immediately received a termination letter. Her husband was also terminated. This also impacted the proceedings of her case in the High Court, which had yet to pass an order on the original plea on denial of promotion. The High Court directed that the matter be referred to the Services Tribunal.

SHRC took up the case and called both the parties for inquiry. The NICVD administration responded after consistent follow-up by SHRC. Following a series of hearings and inquiry sessions, it was concluded that Saba Imran and Imran were indeed wrongfully terminated. SHRC filed recommendations with the NICVD Executive Director, Health Department, and Chief Secretary Sindh to immediately reinstate the couple and clear their dues. Moreover, the Sindh Government was also sent a recommendation to formulate legislation on harassment and intimidation in organisations/workplaces. The current legislation only covers harassment of sexual nature.

Upon follow up with Saba, it has emerged that the NICVD has yet to reinstate her and her husband. As the Sindh Protection of Human Rights Act does not grant SHRC the power to implement its recommendations, the matter is yet to be resolved. SHRC is also awaiting response from the Health Department.

Saba Imran was contacted to share her views on her experience of filing her complaint with the SHRC. Following are the excerpts from her interview:

“Our experience was very good. The Sindh Human Rights Commission listened to our grievance. At the same time, they dealt with the matter judiciously, calling the other party and noting their side of the story as well. They even investigated the accusations levelled against me by my employers. It was a fair process.

“When I was told about SHRC, my impression was that the Commission deals with cases of honour killings and kidnappings as human rights matters. I was not sure if my case came under the definition of a human rights violation. However, when I approached the Sindh Human Rights Commission, I was assured that it does fall in the category of human rights violation, because I was being denied my due wages. Furthermore, I was forced to stay out of work.

"It is encouraging that in order to engage the Commission, a complainant does not have to hire a lawyer or spend any money. SHRC devotes time, reviews the case details, undertakes investigation and repeatedly writes to the concerned departments for follow-up and action. However, after all the hard work, if their recommendations are not heard, it's really disappointing.

“We filed our complaint with SHRC hoping that our problem would be resolved. The whole team worked with utmost dedication. The SHRC staff maintained diligent follow-up, developed a comprehensive case file and prepared a set of recommendations after thorough deliberations and consultations. However, our case could not be resolved despite the Commission's hard work, as its

powers do not include implementation. SHRC only has recommendatory powers which can only work if the Sindh Government steps forward and implements those recommendations.

“The Government must take the work of SHRC seriously and enhance its mandate and powers to include the authority to implement their recommendations. The Government has spent resources on the Commission, and it is only fair that the Sindh Human Rights Commission be given its rightful powers to implement its recommendations.”

**Petition No. 1935/2020**

## **TERMINATION IN VIOLATION OF THE SINDH COVID RELIEF ORDINANCE**

**Karachi**

This case pertained to Iffat Khan and Mohammad Jahanzeb. They both worked at Al Ghazi Tractors, in Karachi. After the Covid-19 outbreak, in late April 2020, Al Ghazi Tractors terminated 150 employees. According to the complainants, both Iffat and Jahanzeb who worked as Deputy Manager Administration and Assistant Manager Supply Chain, were called by the Human Resource Department at the firm and were asked to either accept a termination letter or submit a resignation letter. Under duress, both employees agreed to submit their resignation. However, they approached SHRC and pleaded with the Commission to take up the matter as a violation of their labour rights.

After the Covid-19 induced lockdown, the Sindh Government had promulgated the Sindh Covid Relief Ordinance which provided for a ban on layoffs. According to the ordinance, the violation was punishable under Section 188 of the Penal Code.

Iffat Khan had earlier approached the Sindh Labour Department also, which had a mandate to implement the Sindh Covid Relief Ordinance. According to Iffat, the Labour Department suggested settlement. However, Iffat was keen to pursue penalty against her employers for wrongful termination under the Covid Relief Ordinance.

SHRC invited both the parties for an inquiry. Upon review of the relevant documents and successive hearings which took six months, the Commission concluded that the termination had no legal basis. Moreover, this was also a violation of the Sindh Covid Relief Ordinance which was later turned into an Act.

SHRC recommended Al Ghazi Tractors to reinstate their employees. However, Al Ghazi Tractors went to the Sindh High Court against the recommendations. The High Court also nominated the Sindh Human Rights Commission as a party to the case. SHRC pleaded in the court that given its status as a statutory body, its recommendations cannot be challenged in the court. Moreover, the case comes under harassment at the workplace, which is a violation of human rights. The Sindh Human Rights Commission urged the court to set a precedent by issuing orders on workplace harassment.

The High Court has now referred the matter to the National Industrial Relations Commission (NIRC) which deals with the resolution of industrial disputes. According to Iffat, the matter is in a state of limbo as the appointment of the concerned judge at NIRC is awaited.

SHRC contacted Iffat to record her experience of filing her petition with SHRC. Excerpts from her interview are presented below:

“For my case, I knocked every door including the Labour Department and the Prime Minister Portal. I could have gone to court, but courts were closed due to the Covid-19 outbreak. We were illegally terminated, and my plea was to be reinstated.

“When I approached SHRC, Chairperson Sindh Human Rights Commission and her staff guided us. The Chairperson was very inspiring and encouraging. The staff worked very hard at conducting the inquiry, maintaining a follow-up and bringing all records and documentation together. At no point did I feel that I was being dealt with unfairly. SHRC undertook every effort to ensure that the views of both sides were incorporated into the inquiry. They filed recommendations only after a thorough process.

“However, at the end of the day, the High Court refused to accept SHRC's recommendations. Our question is, SHRC has been formed by the Government of Sindh for a purpose. They work hard at conducting inquiries and addressing complaints. Yet, their recommendations are not responded to. What is the point then to spend so many resources if the government has no intention of following up on the recommendations of SHRC? The Sindh Human Rights Commission has been formed to serve the people of Sindh. They do not charge for their services, nor do they require engagement of a lawyer. Yet the government does not provide them with enough powers to implement their recommendations. Where would the public go if a human rights institution is denied its voice?”

**Petition No. 1413/2019**

## **DENIAL OF SHARE IN PROPERTY**

**District Sujawal**

Sanjha Ibrahim started as an intern at SHRC in 2019. She now assists Member Judicial-II for cases' inquiry. In 2019, she filed a petition with the Sindh Human Rights Commission complaining confiscation of her father's property by his brothers in Sujawal. Her petition was taken up by SHRC that sent notices to District Magistrate and conducted an inquiry. Due to SHRC's interventions, the property dispute was resolved and Sanjha's father received his due share from his brothers.

An excerpt of Sanjha's interview based on her experience of her complaint has been produced below:

“I belong to District Sujawal, which is an underdeveloped and conservative district with very little emphasis on literacy. Female education is particularly discouraged.

“My grandfather was a teacher. He used to receive pension after retirement. He started a series of small-scale businesses with his savings and pension fund, which fortunately expanded. He built a big house for his family and we were all living together.

“However, my father who was a civil engineer found a job with the Pakistan International Airlines. We moved to Karachi. My grandfather supported my father and allotted him his wheat mills. Even though the mill was not in my father's name, he was allowed to collect its profits. My father would visit the mill every week to check production. My father supported higher education for all his children.

“As I acquired education and became more conscious of my surroundings, I started noticing certain developments. My father's mill was sold by my uncle overnight. A family dispute ensued, and my grandfather intervened. As a compensation, he gave more share of property to my father so that he could draw rent from them. However, those were also never transferred in his name.

“With time, my uncles took those properties away too and converted them into commercial entities. They also pressurised my aunts to let go of the property. My aunts gave in due to fear. My grandfather passed away in 2017.

“When I joined SHRC, I realised that what my uncles were doing came under human rights violation. They were depriving our family of our rightful share in our grandfather's property. I asked my father to stand up for his right and demand his share from his own father's property. With some persuasion, my father eventually agreed.

“I wrote a formal petition to the SHRC pleading that my father and aunts be given their fair share from my grandfather's property. SHRC notified the District Commissioner Sujawal, who sent a letter to my uncle. My uncles kept delaying the matter. The Commission then asked the SSP to approach them. Upon the SSP's intervention, my uncles finally responded. The local ulemas were also asked to persuade my uncles to provide our due share. After a series of exchanges between the DC, SSP and my uncles, they eventually reached out to us themselves. They agreed for a settlement before the magistrate. We all received our due share, and all property transaction was properly documented.

“Following our case in Sujawal, there have been a number of cases where women have come forward to demand their rightful share in their inherited property. My distant cousins have also taken a stand in a similar matter. We hope with SHRC's help, more people, particularly women would become aware of their right to inheritance and ownership of property.”



**"Every right has its responsibilities. Like the right itself, these responsibilities stem from no man-made law, but from the very nature of man and society. The security, progress and welfare of one group is measured finally in the security, progress and welfare of all mankind."**

**Lewis Schwellenbach**



# 5

## Section

## Special Initiatives

### Initiatives covering sanitary workers

In the last quarter of 2019, SHRC collaborated with the Strengthening Participatory Organisation for a set of concerted interventions for the wellbeing of sanitary workers in Sindh. As a part of the programme, SHRC undertook the following activities:

#### Inputs for the Strategic Plan for Promotion of Social Well-Being of Sanitary Workers

SHRC provided input for developing a strategic plan for the promotion of social well-being of sanitary workers. The document covered a detailed mapping on required interventions for the rights of the sanitary workers, laid out stakeholders mapping and a plan of action for stakeholders to initiate better working and living conditions for sanitary workers. The Strategic Plan has been shared with key stakeholders so that a concerted set of steps may be taken to protect sanitary workers' rights.

#### Presented Recommendations Before Stakeholders and Provided Safety Kits to Sanitary Workers:

A set of recommendations drawn from extensive engagement on the rights of the sanitary workers was presented to stakeholders in two conferences. One in Hyderabad in mid-December 2019 and the other in Karachi on December 30, 2019. Justice (Retd) Majida Razvi addressed both the



Chairperson SHRC Justice (Retd) Majida Razvi presenting recommendations in a joint conference with the Strengthening Participatory Organisation on the wellbeing of sanitary workers.

conferences and presented the recommendations before stakeholders including Minister for Local Government, Syed Nasir Hussain Shah. In her presentation, Chairperson SHRC emphasized the need for extending coverage of social security to sanitary workers. She highlighted the vulnerabilities of the workers in the backdrop of poverty and limited access to quality healthcare. “Lack of immunization, poor standards of waste disposal, ignorant attitude by waste management departments and non-availability of insurance coverage increases their vulnerability manifold.”

In both the meetings, sanitary workers were presented safety kits for their protection against hazardous working conditions.

## **Letter to CM Sindh Syed Murad Ali Shah urging for social security and safety and protection for sanitary workers:**

SHRC wrote a detailed letter to Chief Minister Sindh, Syed Murad Ali Shah highlighting the unsafe working conditions of the sanitary workers, including acute health and safety risks, insecure employment arrangement due to third-party hiring practices, religious bias against non-Muslim sanitary workers, and lack of access to minimum wage, pension and social security. Together these reinforce the vulnerabilities of the sanitary workers, lowering their morale. Financial stress, resulting from low wages and absence of social security, compromises their access to adequate nutrition, healthcare and clean environment.

In the letter, SHRC made a set of recommendations and urged the CM Sindh to undertake special measures to support the sanitary workers. The recommendations include:

1. Issue Sehat Insaf Cards for sanitary workers. Due to their endless exposure to waste and sludge, sanitary workers are perpetually at the risk of diseases that require medical visits and hospitalization. The workers are hardly able to afford treatment due to poor wages. Insurance and access to free medical care through Sehat Insaf package would provide critical support to sanitary workers to deal with health issues with dignity.
2. Develop a programme for sanitary workers to regularize their employment in the public and private sector and their enrolment in social security programmes for workers such as EOBI, Workers Welfare Fund and Provincial Employee Social Security Institution.
3. Organise a system of compensation for those sanitary workers that fall victim to occupational hazards, especially sewer workers who end up losing life when forced to clear blocked drainage, by their supervisors. SHRC also stressed that blocked sewerages should only be cleared through machinery. However, sweepers, sewer workers, and janitorial workers, by nature of their work, continue to risk exposure to toxic waste and end up developing grave illnesses and even lose life. There should be a special provision for these workers to cover compensation for the specific health and safety challenges in the course of their work.

Post pandemic, SHRC again took up the case of sanitary workers issuing a statement to urge the government to recognize sanitary workers as frontline workers and extend them adequate protection and hygiene standards to prevent their exposure to infection.

## **Protection for Agriculture Workers against Occupational Health and Safety Risks**

As a part of SHRC's engagement on promoting agriculture workers' rights and health and safety, the Commission, led by Chairperson SHRC visited District Tando Allahyar on March 31, 2019. The visit

**SHRC made a set of recommendations on health insurance, social security, and compensation for sanitary workers for the specific health and safety challenges in the course of their work.**

sought to assess the working conditions of agriculture workers and draw recommendations in consultation with stakeholders. The visit was facilitated by agriculturalist and human rights activist Ali Palh.

SHRC's visit to Tando Allahyar offered a first-hand view of the working practices at the farm level. It was pointed out that thrashing of wheat crops is undertaken in a hazardous manner, using razor sharp equipment. Due to the proximity of workers with the sharp equipment, there is risk of injury and even loss of limb. The Commission suggested using of protective gear in the form of tight body cover to protect workers from the risk of any mishap.

SHRC was also briefed on the insanitary conditions of the canals that are another source of health and safety risk. It was informed that due to negligence of municipal bodies, sewage is dumped into the canal. The water is then used for the cultivation of crops.

An important outcome of the visit is that following SHRC's review and recommendations, the local farm house adopted the use of protective gear for workers engaged in thrashing. This has resulted in minimizing of accidents and stronger protection for workers at the farm. This model could be extended to farms across the province, as these protective gears are cost effective and offer important safety against lifelong injury. However, it has been noted that labour laws and health and safety protections are not extended to the agriculture



SHRC recommends protection gear for farming which ensures safety of workers from occupational hazards.

sector. Agriculture sector, in effect, is not regulated by any labour law. SHRC has raised this issue at various forums. The Commission plans to undertake a series of initiatives and consultations for new legislation and policy review on protection for agriculture workers.

## Visit of United Nations Special Rapporteur on the Situation of Human Rights Defenders (HRDs) Michel Forst

The United Nations Special Rapporteur on the situation of human rights defenders Michel Forst undertook a five-day academic visit to Pakistan in the second week of February 2020.

Michel Forst\* was holding a special mandate on the situation of human rights defenders which was established in 2000 by the Commission on Human Rights (as a Special Procedure) to support the implementation of the 1998 Declaration on Human Rights Defenders. The Declaration provides for the support and protection of human rights defenders in the context of their work and outlines specific

\* The position of the Special Rapporteur on the situation of human rights defenders is now held by Ms Mary Lawlor who was appointed on May 1, 2020.

duties and responsibilities of states and other relevant actors with regard to defending human rights.

The Special Rapporteur's visit to Pakistan was facilitated by the Pakistan Human Rights Defenders Network (PHRDN) and the Sindh Human Rights Defenders Network (SHRDN). The purpose of the visit of the Special Rapporteur was to meet with activists, human rights defenders, and members of the Pakistani civil society, to promote the mandate of the Special Rapporteur and to strengthen the protection of human rights defenders.

As a part of his effort to reach out to human rights defenders in Pakistan, Michel Forst and the Norwegian Human Rights Fund Project Coordinator Scott M. Sandvik, along with Coordinator SHRDN Ali Palh, and Member PHRDN and SHRC Zulfiqar Shah, visited the SHRC office on February 10, 2020. The purpose of the visit was to become familiarized with the Sindh Human Rights Commission, its human rights work and systems, and explore scope for the UN Special Rapporteur's office to support the Commission.

The meeting led by SHRC Chairperson Justice (Retd) Majida Razvi, also had participation from members Commission: Member Judicial-I, Syed Hassan Shah Bukhari; Member Judicial-II, Aslam Shaikh; Pushpa Kumari, and Abida Lodhi, Secretary SHRC.

Chairperson SHRC Justice (Retd) Majida Razvi gave a detailed briefing on the work of the Sindh Human Rights Commission. She highlighted the cases received by the Commission and shared the

**Michel Forst was holding a special mandate on the situation of human rights defenders which was established by the Commission on Human Rights to support the implementation of the 1998 declaration on HRDs.**



Meeting with UN Special Rapporteur on the Situation of Human Rights Defenders Michel Forst (front right in the picture). Scott Sandvik from Norwegian Human Rights Fund (second from front right) also participated in the meeting.

process of complaints handling. She informed that the cases received by the Commission include complaints on violence against women, including threats of honour killing, enforced disappearances, violation of labour rights, communal conflicts and resultant violence, child marriage, child custody, threat to religious minority community, forced marriage, and illegal occupation of property, among others. She also explained the suo moto system of the Commission indiscriminately picks reports of violation of rights. She said that the Commission has taken up over a thousand cases since its formation. She also briefed about the Commission's work on legislative and policy interventions, and engagement on monitoring of GSP+ treaties.

Sharing the challenges of the Commission, Chairperson and members SHRC communicated the importance of strengthening the Commission. “The cases we receive and the reports we pick for suo moto are reflective of the regressive realities of the local population. They underscore the need for implementing the human rights agenda for all levels of the population in all parts of the province. The fact that the public is increasingly turning to us for redressal of the violation of their rights indicates that people are willing to make all efforts to seek justice and human rights. We can only serve them well if we have better capacities in terms of systems, human resource, and financial resource. Moreover, SHRC can best serve the province if it has offices in each and every district of the province of Sindh, complete with required human resource and operational facilities. This would encourage people to engage the Commission more securely.”

**"SHRC's active role in following up on threats against HRDs has helped initiate state action to address the violation of their rights." - Zulfikar Shah, Member SHRC**

In his remarks, Zulfikar Shah shared examples of SHRC's interventions for the protection of human rights defenders. “SHRC's active role in following up on enforced disappearance of HRDs or threats issued against them has helped initiate state action to address their rights violation,” he noted. He said that due to its powerful mandate and independent status, SHRC can play an effective role to take proactive and follow up actions towards the protection and promotion human rights.

Ali Palh highlighted the importance of action against security threats to human rights defenders.

**The Special Rapporteur stressed the importance of strong human rights institutions to defend the work of human rights defenders.**

“There should be legislation at the national and provincial levels to protect the HRDs in compliance with the international conventions.” He pointed out that SHRC can play a role in promoting legislation on human rights defenders.

In his remarks, Special Rapporteur on the situation of human rights defenders Michel Forst thanked SHRC for hosting him on the first day of his visit. He appreciated the Commission's work and stressed the importance of strong human rights institutions to defend the human rights defenders. Special Rapporteur offered the Commission support on training and capacity building on protection and development of legislation and policies related to

human rights defenders. He also assured the Commission that he would raise the point related to the need for strengthening the Commission at relevant forums and meetings during his visit.

Following up on his commitment, the Special Rapporteur highlighted the need for strengthening the capacity and resource base of SHRC in his meeting with CM Sindh, Syed Murad Ali Shah.

For SHRC, the Special Rapporteur's visit was an acknowledgment of the role of the Commission as a response structure on human rights violations in the province of Sindh. Such exchanges help advance the goal of strengthening service delivery on human rights.

States have an obligation to ensure that human rights defenders are respected and protected and that there is an enabling environment for them to do their critical work. SHRC is of the view that it has a role to play in facilitating greater protection to human rights defenders as defenders are integral to the protection of human rights and the success of global initiatives such as Sustainable Development Goals.



## SHRC in the Media

The Sindh Human Rights Commission actively pursues media outreach to express its human rights-centric position on pertinent issues and also register its support for initiatives that seek to advance the rights of the marginalized. In addition, the Commission uses the forum of the media to express support for those whose rights are under threat. A public statement asserting human rights supremacy is always useful in strengthening the position of those whose rights and security are at risk at the hands of regressive forces. Moreover, all events and public activities organized by SHRC are followed by a press release to ensure public record of activities.

A brief list of media outreach activities in 2019-20 is presented below:

### **Participation in Press Conference on Aurat March**

The annual march for human rights for women held on the International Women's Day in various cities simultaneously is usually subjected to negative media. Chairperson SHRC Justice (Retd) Majida Razvi participated in the press conference held on March 4, 2020 ahead of the IWD, to express support for the movement. She stated that Aurat March was a peaceful, forward-looking movement, aimed at securing women's rights. She expressed the position that safety is the fundamental right of women, and women should be given the space to mobilise and express their demands.

### **Occupational Health and Safety and Protection for Sanitary Workers**

The Sindh Human Rights Commission has been actively following up the issue of sanitary workers who regularly register complaints with the Commission over discrimination over the grounds of religion and class. In addition, they also suffer acute occupational health and safety risks due to the peculiar nature of their work.

In 2019, the Commission took part in a detailed consultative process on building a strategic plan for the rights of the sanitary workers, facilitated by the Strengthening Participatory Organization. The document sought to identify the key areas of interventions, prepare stakeholders mapping and develop a plan of action around short, medium and long terms to fulfill the collective objective of the wellbeing of the sanitary workers.

At the presentation of the document before the provincial Minister for Local Government Syed Nasir Hussain Shah and other MPAs, Chairperson SHRC Justice (Retd) Majida Razvi briefed the minister on the complaints from the sanitary workers pertaining to discrimination in employment, and occupational health and safety risks. She said that the Commission was able to resolve these complaints by persistently engaging the concerned departments. She stressed the need for a dedicated

set of efforts covering complaints redressal, review of legislation and policy, capacity building of workers for greater understanding of their rights and involvement of related departments.

## **Efforts for Visually Impaired Persons in Khairpur**

Following a suo moto notice by SHRC of a report from Village Misri Burdi, District Khairpur, about 15 visually impaired persons from a single family battling with poverty and impoverishment, the Commission initiated a series of consultations with concerned officials to facilitate relief and monthly support for the family. The Judicial Member-II, Sindh Human Rights Commission, Muhammad Aslam Shaikh visited Khairpur to conduct meetings with District Officer, Zakat and Ushar Committee and Assistant Director PBM Khairpur in March 2019 to discuss necessary documentation required to further the process. Following a series of consultations led by SHRC, the Government of Sindh approved the list of 15 visually impaired persons for Guzara Allowance through ATM-Sindh Bank, which was duly provided to the persons concerned.

A press release was issued in February 2020 to provide details to the public about the effort.

## **Threats Against Human Rights Defenders**

Following growing cases of intimidation and vindictive actions against human rights activists using the religion card, across the Province, the Sindh Human Rights Commission issued a press statement on June 16, 2020 to urge the government to provide better protections to human rights defenders. The Commission expressed alarm over the harassment of human rights activists across the Sindh Province, especially, in the case of Dr. Arfana Mallah (Professor at University of Sindh and human rights activist) wherein reportedly police was being pressurized to lodge an FIR against her under the blasphemy law.

The Commission urged the stakeholders not to use the religion card to counter each other's ideological differences and adopt the path of a dialogue in the interest of peace and stability.

## **Case of Mob Lynching**

As a part of its outreach over growing cases of violence, SHRC took note of mob lynching of a 16 year old boy in Karachi. The Commission followed up with the police department to ensure the arrest of the perpetrators. However, noting the mental trauma experienced by the victim, the Commission, in a press statement, described it as a severe human rights breach with long lasting psychological, legal and social consequences. SHRC also urged the PTA and other internet/media regulatory authorities to introduce a mechanism to block publication of graphic content on the social media which lead to psychologically traumatic impact on the general public, particularly children and cardiac patients.

## Covid-19 Pandemic

The Commission issued two press releases in the pandemic.

1. Carrying on with its ongoing work on promoting safety and protection for sanitary workers, and keeping in view the vulnerability of these workers, SHRC urged the Government of Sindh, and district/city/municipal administrations all over the Sindh Province to ensure safety of the sanitary workers and consider them as frontline fighters working to keep our public spaces clean and sanitized.

The Commission urged the Government to provide ample safety equipment to the sanitary workers so that their protection against the pandemic can be ensured.

2. Following up on highlighting Covid-related vulnerabilities, the Sindh Human Rights Commission noted that prisoners are at risk to the widely spreading virus owing to overcrowding in jails. In a statement released on April 5, 2020, the Commission urged the Government of Sindh to carry out testing of inmates and jail staff and provide other necessary measures to protect them from the virus.

## Missing Persons

Taking note of the growing number of cases of enforced disappearances of individuals from political and human rights backgrounds, the Sindh Human Rights Commission issued a statement on September 13, 2020. Chairperson SHRC Justice (Retd) Majida Razvi stressed that the issue of missing persons in the Sindh Province is a critical issue related to fundamental freedoms and rights guaranteed by the Constitution of Pakistan. SHRC further noted that it amounts to injustice to keep a person detained for indefinite time period without any declaration of their crime or any information shared with the family on the location of the person and the charges against them. “This is a denial of the right to fair trial of the people concerned.”

The Commission demanded immediate release or production before the court of law of those detained.

The above-mentioned press statements received wide media coverage in English, Urdu and Sindhi newspapers. In addition, press releases of the Commission's activities are regularly featured in the media. This year, media reports of annual report launch, consultation on honour killings and meeting of commissions were widely reported. These contributed to generating awareness and understanding of the Commission's work among the public.

In addition, interviews of commission members on broadcast media are also regularly conducted. Links of the interviews are available on the SHRC website too. SHRC also maintains a Facebook page where regular updates of the Commission's activities are posted.



# Year in Pictures

Karachi, March 11, 2020: SHRC's PRO Fareeda Memon in a community awareness session with the Lyari Community Development Project.



Karachi, August 17, 2020: SHRC's quarterly board meeting in progress.



Karachi, January 16, 2020: Signing of a Memorandum of Understanding (MoU) with the Trust for Democratic Education and Accountability (TDEA) FAFEN on mutual cooperation over the areas of database management, networking of the commission and capacity building of the commission's staff on January 16, 2020.



Karachi, October 10, 2020: SHRC organised a meeting with government officials to follow up on a petition filed by retired KMC officials over non-payment of their dues. Mr. Moazzam Ali Marri, Additional Secretary, Finance department; Syed Ahmed Fawad, Deputy Secretary, Chief Minister Secretariat; Mr. Abdul Jabbar, Director Welfare; and Mr. Afaq Saeed, Financial Advisor, Karachi Municipal Corporation (KMC) participated in the meeting. Retired employees of KMC were also present.



SHRC Chairperson Justice (Retd) Majida Razvi in the newly opened sub-office in Sukkur that serves the local region for human rights violation complaints.



Karachi, July 11, 2019: SHRC Member Judicial-II Muhammad Aslam Sheikh met representatives of the Civil Society Support Program (CSSP) that works on organising and educating communities.



Karachi, August 29, 2019: SHRC Chairperson Justice (Retd) Majida Razvi and Member Zulfiqar Shah along with Chairperson NCHR Ms Anis Haroon, Chairperson SCSW, Ms Nuzhat Shirin, Executive Director PILER, Karamat Ali, and human rights expert, Iqbal Detho met IG Police Sindh and his team in Karachi to discuss police and civil society coordination for protection of human rights.



Karachi, September 25, 2019: SHRC held a meeting with special Assistant to CM on Human Rights Mr Veerji Kohli. The Advisor to CM was briefed on the powers and functions of the Commission. Collaboration with Human Rights Department was also discussed.



Karachi, August 27, 2019: The Sindh Human Rights Commission signed a Memorandum of Understanding (MOU) with the Legal Aid Society to collaborate on cases related to human rights violations and promote outreach of the Sindh Legal Aid Call Center.



Tharparkar, November 29, 2019: Meeting with district officials and civil society to discuss rising cases of suicide in Tharparkar.



# 6

## Section

**Annexure-1****Pakistan's International Commitments  
On Human Rights**

Treaty Description	Summary of the Treaty	Treaty Name	Signature Date	Ratification Date, Accession(a), Succession Date (d)
International Convention on the Elimination of All Forms of Racial Discrimination	Elimination of racial discrimination, promoting understanding, and banning hate speech and membership of racist organizations.	CERD	19-Sep-66	21-Sep-66
Convention on the Rights of the Child	The civil, political, economic, social, health and cultural rights of children, and a ban on use of children in military conflicts and the sex industry.	CRC	20-Sep-90	12-Nov-90
Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict	Children are not recruited compulsorily into armed forces, and that children who are under 18 years do not take part in hostilities	CRC-OP-AC	26-Sep-01	5-Jul-11
Convention on the Elimination of All Forms of Discrimination against Women	Women's rights to non - discrimination, political life, education, employment, health, and equality in marriage.	CEDAW		12-Mar-96 (a)
Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography	To prohibit the sale of children, child prostitution and child pornography	CRC-OP-SC	26-Sep-01	5-Jul-11
International Covenant on Economic, Social and Cultural Rights	Labour rights, rights to health, right to education, and the right to an adequate standard of living.	ICESCR	3-Nov-04	17-Apr-08
Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment	Effective measures to prevent torture in a country or transport of people abroad where there is reason to believe they will be tortured.	CAT	17-Apr-08	23-Jun-10
International Covenant on Civil and Political Rights	Right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and right to due process and a fair trial.	ICCPR	17-Apr-08	23-Jun-10
Convention on the Rights of Persons with Disabilities	To promote, protect and ensure the full enjoyment of all human rights and fundamental freedoms by all persons with disabilities.	CRPD	25-Sep-08	5-Jul-11

UN Treaty Body Database: [https://tbinternet.ohchr.org/\\_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=131&Lang=EN](https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=131&Lang=EN)

## ILO Conventions

Pakistan has ratified 36 conventions of the International Labour Organisation (ILO) that cover various aspects of labour rights. These include Core Conventions, presented below, that address the most basic labour rights.

### The Right to Organize and Engage in Collective Bargaining

- ◆ C087: Freedom of Association and Protection of the Right to Organize Convention (1948)
- ◆ C098: Right to Organize and Collective Bargaining Convention (1949)

### The Right to Equality at Work

- ◆ C100: Equal Remuneration Convention (1951)
- ◆ C111: Discrimination (Employment and Occupation) Convention (1958)

### The Abolition of Child Labour

- ◆ C138: Minimum Age Convention (1973)
- ◆ C182: Worst Forms of Child Labour Convention (1999)

### The Abolition of Forced Labour

- ◆ C29: Forced Labour Convention (1930)
- ◆ C105: Abolition of Forced Labour Convention (1957)

## Conventions Attached to GSP +

Since January 2014, Pakistan has been granted the status of Generalized System of Preference Plus (GSP+) by the European Union. This scheme provides for ten years of duty-free or preferential export rates for Pakistan in EU markets. Access to such trade incentives is, however, made conditional to the fulfillment by the country of certain requirements including the effective implementation of 27 international conventions that also incorporate seven UN core human rights conventions. These conventions include:

1. ICCPR - International Covenant on Civil and Political Rights (1966)
2. CESCR - International Covenant on Economic, Social and Cultural Rights (1966)
3. CERD - International Convention on the Elimination of all forms of Racial Discrimination
4. CEDAW - Convention on the Elimination of All Forms of Discrimination Against Women
5. CAT - Convention against Torture, Cruel, Inhuman and Degrading Treatment or Punishment
6. CRC - Convention on the Rights of the Child
7. Convention on the Prevention and Punishment of the Crime of Genocide



8. International Convention on the Suppression and Punishment of the Crime of Apartheid (1973)
9. C138 - Minimum Age Convention (1973)
10. C182 - Worst Forms of Child Labour Convention (1999)
11. C105 - Abolition of Forced Labour Convention (1957)
12. C29 - Forced Compulsory Labour Convention (1930)
13. C100 - Equal Remuneration Convention (1951)
14. C111 - Discrimination (Employment and Occupation) (1958)
15. C87 - Freedom of Association and the Right to Organize (1948)
16. C98 - Right to Organize and Collective Bargaining Convention (1949)
17. Montreal Protocol on Substances that deplete the Ozone Layer
18. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal
19. Stockholm Convention on persistent Organic Pollutants
20. Convention on International Trade in Endangered Species
21. Convention on Biological Diversity
22. Cartagena Protocol on Biosafety
23. Kyoto Protocol to the UN Framework Convention on Climate Change
24. UN Single Convention on Narcotic Drugs
25. UN Convention on Psychotropic Substances (1971)
26. UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)
27. Mexico UN Convention Against Corruption

## Annexure-2

### PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 9<sup>TH</sup> 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 16<sup>th</sup> May, 2011 and assented to by the Governor of Sindh on 9<sup>th</sup> 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.

It is hereby enacted as follows:-

**Preamble.**

#### **PART-I PRELIMINARY**

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

(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.

**Short title, extent and commencement.**

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

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

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

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

**Definitions.**

- (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.

(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.

**Establishment  
of the Commission.**

(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;

**Powers and  
Functions of the  
Commission.**

- (ii) recommend to Government the remedial measures including action to be taken against the persons involved in violation of human rights;
- (iii) formulate, implement and regularly update policies with a view to protect human rights;
- (iv) visit, under intimation to Government, any jail or institution under the control of Government where persons are kept or detained or admitted for purpose of treatment, reformation or protection to see the living conditions of the inmates and make recommendations thereon;
- (v) review the safeguards provided by or under the Constitution or any law for the time being in force for protection of human rights and recommend measures for their effective implementation;
- (vi) study treaties and other international instruments on human rights and make recommendations for their effective implementation;
- (vii) undertake and promote research in the field of human rights;
- (viii) spread human rights literacy among various sections of society;
- (ix) promote awareness of the safeguards available for protection of human rights through print and electronic media, seminars and other available means;
- (x) encourage the efforts of non-governmental organizations and institutions working in the field of human rights;
- (xi) publish or cause to be published the various policies, details, data and information relevant to the affairs of the Commission on a regular basis and ensure reasonable access of the public to the same;
- (xii) appoint such officers and staff as may be necessary for carrying out the purposes of this Act, subject to the approval of Government; and
- (xiii) shall perform such other functions necessary for protection of human rights, as may be prescribed.

**PART-IV  
MEETINGS OF THE COMMISSION**

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

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

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

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

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

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

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

- (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:

**Meetings of the Commission.**

**Removal of Chairperson or member.**

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.

**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.

**Fund.**

- (2) The Fund shall consist of -
- (i) grant-in-aid from Government;
  - (ii) endowments, donations and contributions from public;
  - (iii) contributions from District Governments and other institutions;
  - (iv) sale proceeds of the publication and any bonafide income-generating means undertaken by the Commission.
- (3) (i) The Fund of the Commission shall be deposited in a scheduled Bank under such head of accounts as may be determined by the Commission.
- (ii) The account of the Fund shall be audited once in every financial year by the Director General Audit Sindh or his nominee.
- (iii) The audited annual statements of receipts and expenditure shall cover the period of the proceedings of financial year ending on 30<sup>th</sup> 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**



## Annexure-3

**EXTRAORDINARY**

**Registered No.M324**



# The Sindh Government Gazette

Published by Authority

**KARACHI FRIDAY MAY 30, 2014**

## **PART-I**

GOVERNEMENT 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) "Members" 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 received 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.

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

SCHEDULE  
(See rule 2 (d))

PAY, ALLOWANCE AND PREREQUISITES OF THE CHAIRPERSON AND FULL-TIME MEMBERS

Sr.No.	Items	Chairperson	Full-time Members
1	Pay	The Chairman shall be entitled to received the pay, allowances and perquisites as admissible to a Judge of High Court, on the same terms and conditions as determined by the President's Order issued from time to time.	The Members shall continue to draw such pay, allowances and perquisites as they were drawing at the time of their retirement.
2	House Rent Allowance	The Chairman shall be entitled to free unfurnished residential accommodation for the terms of his office and fifteen (15) days after ceasing to hold his office, and in case accommodation is not provided he/she shall be allowed house rent at such rates as admissible to a serving Judge of the High Court of Sindh.	The Members shall be entitled to free unfurnished residential accommodation for the terms of his office and fifteen (15) day after ceasing to hold his office, and in case accommodation is not provided he/she shall be allowed house rent at such rate as admissible to a Secretary to Government of Sindh.
3	Utilities	Twenty thousand rupees per month.	Ten thousand rupees.

FACILITIES.

1	One chauffeur driven car maintained at the Government expenses for official and private use.	The Chairman shall be entitled to the use of official car on such conditions as applicable to the Judge of the High Court.	The Member shall be entitled to the use of official car on such conditions as are applicable to the use of official car by Secretary to the Government.
2	Petrol Limit	300 Liters per month	200 Liters per month
3	TA/DA	As admissible to civil servants of highest grades.	As admissible to civil servants of highest grades.
4	TA/DA on official duty abroad.	As admissible to civil servants of highest grades.	As admissible to civil servants of highest grades.
5	Medical facilities.	In respective of leave, medical attendance and other matters, the chairman shall be governed by the Rules of the time being applicable to a Judge of High Court or as the case may be.	In respective of leave, medical attendance and other matters, the chairman shall be governed by the Rules of the time being applicable to a Secretary to Government of Sindh or as the case may be.

**Annexure-4**

**Rules of Business**  
**GOVERNMENT OF SINDH LAW, PARLIAMENTARY AFFAIRS**  
**AND HUMAN RIGHTS DEPARTMENT**

**NOTIFICATION**

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>1. (1) These rules may be called the Sindh Human Rights Commission Rules, 2013.  (2) They shall come into force at once.</p>	<b>Short title and commencement</b>
<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;  (m) "section" means a section of the Act.</p> <p>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>	<b>Definitions</b>
<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>	<b>Headquarters</b>
<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>	<b>Powers and Functions of the Commission</b>

<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; inspect or visit under intimation to Government and in accordance with</p> <p>(vi) 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 here in contained.</p>	<p><b>Transaction of meeting Business</b></p>
<p>6. (1) There shall be held ordinary meetings and special meetings.</p> <p>(2) An ordinary meeting shall be held as often as may be necessary but at least once in three months..</p> <p>(3) A special meeting shall be convened as soon as may be on receipt of requisition in writing by at least three or more members and such meeting shall be convened after giving at least three days' notice within a period of not exceeding fifteen days of receipt of such requisition.</p> <p>(4) The Secretary under the instructions of the Chairperson shall convene meetings on such date and time as fixed by the Chairperson.</p> <p>(5) A special meeting shall have priority over an ordinary meeting.</p>	<p><b>Meetings</b></p>
<p>7. (1) Seven days clear notice shall be given for an ordinary meeting and three days clear notice for a special meeting.</p> <p>(2) The Secretary shall cause a notice with a copy of agenda to be served on the members and a copy thereof be pasted at the office of the Commission. .</p> <p>(3) The notice shall inter alia specify the place, date and time of the meeting and be accompanied by an agenda.</p>	<p><b>Notice of meeting</b></p>
<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 subcommittee;</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>	<p><b>Agenda</b></p>

<p>9. No meeting may be adjourned until the agenda thereof is disposed of or a resolution of adjournment is passed or the Chairperson for any reason to be recorded in writing.</p>	<p><b>Adjournment of meeting</b></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><b>Consideration of business</b></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> <ul style="list-style-type: none"> <li>(i) to coordinate, supervise and manage the work of the Commission and exercise general supervision and control the affairs of the Commission;</li> <li>(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;</li> <li>(iii) to interact closely with all Ministries and Departments at Federal and Provincial level with regard to the affairs of the Commission;</li> <li>(iv) to delegate by general or special order, the powers and functions of the Chairperson to any member, officer or Secretary of the Commission.</li> </ul>	<p><b>Powers and Functions of the Chairperson</b></p>
<p>12. The Members of the Commission shall have following powers and functions:-</p> <ul style="list-style-type: none"> <li>(i) to assist the Chairperson to coordinate and support the work of Commission;</li> <li>(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;</li> <li>(iii) to liaise with members of other similar Commissions, Provincial Secretariat and regional offices;</li> <li>(iv) to perform such other duties and functions as may be assigned by the Chairperson.</li> </ul>	<p><b>Functions of the Members</b></p>
<p>13. Subject to the provisions of the Act, the Secretary shall have the following powers and functions:-</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(ii) to carry out administrative orders and decisions of the Commission;</li> <li>(iii) to perform such other duties and functions as may be assigned to him by the Commission or Chairperson.</li> </ul>	<p><b>Functions of the Secretary of the Commission</b></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><b>Commission to co-opt expert or advisor</b></p>

<p><b>15.(1)</b> The quorum for a meeting of the Commission shall be four members.</p> <p><b>(2)</b> 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><b>(3)</b> The members shall inform in writing to the Chairperson in advance with regard to their absence from Commission's meetings.</p> <p><b>(4)</b> 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>	<p><b>Quorum</b></p>
<p><b>16.(1)</b> All matters in the agenda shall be decided by the majority of votes of the members present in the meeting.</p> <p><b>(2)</b> The voting shall be by show of hands.</p> <p><b>(3)</b> The result of the voting shall be declared after the voting by the Chairperson and such declaration shall be final and conclusive .</p> <p><b>(4)</b> In the case of an equality of votes, the Chairperson or member presiding a meeting shall have a casting vote.</p>	<p><b>Decision</b></p>
<p><b>17.(1)</b> Minutes of the proceedings of each meeting shall be drawn up by the Secretary.</p> <p><b>(2)</b> 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><b>Minutes of the Proceedings</b></p>
<p><b>(3)</b> 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><b>(4)</b> 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>	
<p><b>18. (1)</b> 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><b>(a)</b> experts on human rights;</p> <p><b>(b)</b> liaising and networking between Commission, Government Departments and stakeholders;</p> <p><b>(c)</b> budget and finance.</p> <p><b>(2)</b> The business of every committee and sub-committee shall be conducted in such manner as it may decide.</p> <p><b>(3)</b> Every committee or sub-committee shall be headed by one of the Members appointed by the Chairperson.</p> <p><b>(4)</b> The Member, so appointed shall preside the meeting of the committee.</p> <p><b>(5)</b> 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><b>(6)</b> Any member who is absent from three consecutive meetings of the Committee and Sub-Committee without showing sufficient cause, he or she shall cease to be a member of the Committee and in his or her place another member shall be appointed.</p>	<p><b>Appointment of Committees and Sub-committees</b></p>

<p><b>19. (1)</b> All correspondence of the Commission with Government or any authority or person shall be conducted by the Chairperson through Secretary.</p> <p><b>(2)</b> 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><b>Correspondence to be conducted by the Chairperson through Secretary</b></p>
<p><b>20.</b> 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><b>Remuneration for committee or sub committee.</b></p>
<p><b>21. (1)</b> 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><b>(2)</b> 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 for as possible within twenty four hours of its receipt.</p> <p><b>(3)</b> No fee shall be chargeable on such petitions, applications, or other communications.</p> <p><b>(4)</b> The petition, application or other communication shall disclose the facts leading to the violation of human rights.</p> <p><b>(5)</b> 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><b>(6)</b> The Commission may seek further information or affidavit as may be considered necessary.</p> <p><b>(7)</b> 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><b>Petitions, applications and other communications.</b></p>
<p><b>22.</b> The Commission may dismiss in-limine the petition, application or other communication of the following nature:-</p> <p><b>(i)</b> illegal</p> <p><b>(ii)</b> vague, anonymous, pseudonymous;</p> <p><b>(iii)</b> allegations do not make out any specific violation of human rights;</p> <p><b>(iv)</b> matter is sub-judice before court or tribunal;</p> <p><b>(v)</b> the matter is outside the purview of the Commission on any other grounds.</p>	<p><b>Dismissal of petition, application or other communication</b></p>

<p><b>23. (1)</b> 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><b>(2)</b> 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><b>(3)</b> 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><b>(4)</b> 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><b>(5)</b> 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><b>(6)</b> 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><b>Disposal of petitions, other applications and suo-moto actions</b></p>
<p><b>24. (1)</b> 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><b>Transmission of records</b></p>
<p><b>(2)</b> Unless otherwise directed by the Chairperson, the entire records of disposed of cases shall be destroyed after the expiry of a period of two years from the date of final disposal. However, register containing detailed information regarding such cases shall be retained permanently.</p>	

**MIR MUHAMMAD SHAIKH  
LAW SECRETARY**

No.S.Reg: 4(11)2013/ Karachi, dated the 20<sup>th</sup> 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**





## **Sindh Human Rights Commission**

Government of Sindh

### **Head Office:**

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Tel: 021-99217318 | Fax: 021-99217317 | Email: [shrc.gos@gmail.com](mailto:shrc.gos@gmail.com) | Website: [www.shrc.org.pk](http://www.shrc.org.pk)

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