

NGO Group for the Convention on the Rights of the Child
**Database of NGO Reports presented to the UN Committee on
the Rights of the Child.**

Document Title:

**First three sections of the interim report on the state of human rights in
Pakistan in 1993**

Region:

South Asia, Asia

Country:

Pakistan

Issued by:

Human Rights Commission of Pakistan

Date of publication of NGO Report:

01/94

Date of presentation to preessional working group:

11/93

CRC Session

(at which related national state party report was submitted):

06th Session : Apr 94

Language:

English

Document Text

[Link to related state party report at UNHCHR](#)

Introduction, highlights and the HRCP's recommendations.

HRCP Chairperson Mrs. Asma Jabangir released an interim report on the state of human rights in Pakistan in 1993 at a press conference in Islamabad on January 19, 1994.

She also called on the speaker of the National Assembly and Chairman Senate to present report to them.

The full report will be published by March, 1994. Reproduced here are the first three sections of the interim report, comprising the introduction, highlights and the HRCP's recommendations.

Introduction

Which was the area of worst human rights violations during 1993? The question is hard to answer.

How does one decide which cry of agony was the shriller: Saroop Chand's in Rawalpindi who said 'we [Hindus] have no choice but to kill ourselves'; or the farm labourer's in Bhalwal whose body was quietly disposed of by his landlord, his young wife appropriated and his son sold off into labour elsewhere; or the disabled Makhno Jagirani's who apparently died of torture in the custody of Ahmadpur police?

Which statistics is more scaring to the soul: that a woman was raped every three hours of the year, every next one being a minor; or that there were at least 50,000 wasting children who wouldn't live to be 12 years of age of their bonded Labour?

What should alarm us more, that we produced more illiterates during the year, or caused more deaths from preventable diseases, than ever in the past, or killed more people in the name of our varying versions of the faith, or likened Islam to a commercial corporate body? It is hard to choose. And hurt and deprivation is measured not by numbers but intensity and customariness and silent acceptance.

The year was better at least in one respect. There was notable decline in the incidence of political harassment from the recent past. The weakening of the political establishment and the phases of transition that followed were apparent reasons for it. It is uncertain yet if the decline will become a trend.

For 1994 there are only a few promises - and many doubts.

The hope against the excesses of laws and practices in the name of religion is already dwindling.

Better prospects for survival health and education of the poor remain in economic doubt. Easier justice and a more humane and better motivated machinery of law and order demands a will and commitment of which the evidence so far, as always, is only in loud professions.

Even the restoration of women's seats in the legislatures has been cast into limbo.

And there is no indication yet of the country's readiness to announce acceptance of the international norms on civic and political, economic, social and cultural rights and abolition of torture and of discrimination against women.

There is hope only from one, vital, direction - from the growing consciousness among the people, the haris, the women, the minorities, the youth, that they are entitled to certain fundamental rights.

The more widely and strongly this consciousness makes itself felt during 1994 the easier it will perhaps be to decide be relative pain. And the less of it for us to report

Aziz A. Siddiqui, Editor

Highlights

Law-making

RULE by Ordinance continued Eight were promulgated in the first four months. None was debated. Six were reissued in July.

THE Qisas and Diyat Ordinance, promulgated in 1990, was reissued for the 11th time in 1993.

Administration of justice

SEPARATION of judiciary from executive still lay in the future. Supreme Court acquired autonomy in financial matters, asked that the full process be completed by March 1994.

THE filling of vacancies in superior courts was even slower than in the past. Of 37 vacancies reported only six were filled. Lahore, Sindh and Peshawar High Courts were short by one-third of their sanctioned strength of judges.

50,000 CASES were pending disposal in Lahore High Court alone in mid-year.

THE Supreme Court human rights benches mostly remained inactive during the year.

MANY cases came to light of undertrials languishing in jail for long years, Murad Masih had been in since 1982. His last appearance in court was in 1987. Shehzado had served 11 years, Abro 12 years, without being charged, and a third had been in for a longer term than he would have got had he been convicted. A poor man had been summarily sentenced for 42 years, of which he had served 30.

PUNJAB Home Department admitted to the LHC that conditions in police lock-ups were poor. The court set up a committee to monitor improvements.

DELAYS in courts were as bad as ever. One writ petition filed in 1976, relating to the arrest of the present Punjab Assembly Speaker Hanif Ramay and some others was disposed of in 1993. A Vehari clerk accused of a Rs. 20 bribe in 1980 and sentenced to one year's imprisonment in 1982 was finally acquitted in 1993. A case of a policeman torturing a citizen on political ground in Kamalia in 1977 was disposed of at the Supreme Court level with the sentence enhanced to six month imprisonment.

THE Chief justice of SHC pleaded for abolition of special courts. A division bench passed strictures on a special court judge convicting an accused in a false case. The new government said it would not extend the life of speedy courts after their term expires in July 1994.

JHELUM District Bar Association demanded registration of of cases against some magistrates for corruption. Attock lawyers boycotted the sessions court asking for for of a district judge and a magistrate.

THE judge who had heard the Arif Husaini murder case in Peshawar reportedly had to seek sanctuary in a jail. In Lahore a prominent lawyer was murdered. The chairman of Hyderabad District Bar Association alleged a raid on his house by law--enforcing agencies. In Quetta a lawyer was arrested for intervening on behalf of a detenu. Two lawyers of Kasur were beaten up by jail staff. A police inspector abused a lawyer in a Lahore magistrate's court. Another lawyer was threatened by the rival party outside a family court. Two lawyers Peshawar alleged harassment by the police. A third was abducted for ransom.

176 PERSONS were awarded death sentence in 1993, more than two-thirds of them by special courts.

TRAFFICKING in drugs was added to the list of offences carrying death penalty.

A SPECIAL court for Bahawalpur and D.G. Khan sentenced two persons to amputation of right hand and left foot for dacoity. The district and sessions judge, D.I. Khan, sentenced a woman to death by stoning for marrying when an earlier marriage had not been annulled. Her second husband was awarded 100 lashes.

Extra-legal killing.

AT LEAST 52 persons died in the custody of police or other law. enforcing agencies: 29 in Sindh, 21 in Punjab and one each in Islamabad and Balochistan.

183 PERSONS, including some policemen, died in so-called police encounters: 99 in Sindh, 62 in Punjab, 15 in NWFP, eight in Balochistan and one in Islamabad.

Blasphemy law

THE anti-blasphemy laws were widely abused. The minor mullahs almost exulted in the power it gave them, and the militant religious groupings used them to brandish their petic legitimacy.

TWO mentally unbalanced persons, Anwar Masih of Samundri and Arshad Javed of Bahawalpur, were held for insulting the Prophet. So was a 13 -year-old unlettered boy, Salamat Masih, with two others. Rehmat Masih and Manzoor Masih. He was accused of writing blasphemy.

THE appeal against the previous year's death sentence of Gul Masih remained pending through 1993.

ALTHOUGH the state withdrew the charge against Prof. Akhtar Hamid Khan, the Sahiwal judge decided on a renewed petition from the complainant that the case should continue.

A BUSINESSMAN of Barkat Market, Lahore, Sheikh Sohail Mahmood, was framed with blasphemy. The complaint told the court on oath that he had no complaint, that the SHO had taken his signature on the petition by false representation.

BY AN ironic twist, a Jamat-i-Islami loyalist and an ASSP militant were also caught in the mischief of the law, the first in an obvious frame-up because he had refused to oblige the local MNA during election to the Zakat Committee.

A BLASPHEMY case was filed against Benazir Bhutto in LHC for her characterising the blasphemy laws and the system of separate electorates as violative of human rights.

Minorities

DISCRIMINATORY laws and social intolerance continue to impinge adversely on religions minorities in other ways too than the abuse of blasphemy laws.

ONE step to redress the situation was the caretaker government's setting up a commission to identify legal and customary practices affecting the minorities. The Commission's report was not made public.

ANOTHER step was to challenge an aspect of discrimination was the petitions moved in SHC and LHC against the adoption of separate electorates for election when the constitution did not specifically provide it. SHC admitted the petition, LHC did not. On appeal the Supreme Court allowed relief by an interim order, but later vacated that order and admitted the petition for regular hearing.

IN A seal-setting judgment, the Supreme Court upheld the Ordinance XX of 1984 which had provided the basis for the prosecution of Ahmadis for performing Muslim rituals.

COURT against Ahmadis included a three-year R.1 and Rs. 15,000 fine against Qureshi Munawwar Ahmad of Rawalpindi for writing Kalima-i-Tayyeba on a calendar; a charge under 298-C against Rashid Ahmad Sanori of DIK for displaying the attributes of God in his shop; and arrest of Syed Bashir Ahmad Sanori of DIK for lending someone the biography of Sir Zafrullah Khan's mother, an Ahmadi. Repeated actions were also taken against Ahmadi periodicals. Misbah, Ansarullah and Al Fazl.

AN ANTI-AHMADI wave swept Lahore's Engineering University and Allama Iqbal Medical College when groups of students beat up two boys and a girl, mounted a campaign against Ahmadi students and teachers, and sent dire threats to the Frontier post chief editor.

AHMADIYAT was turned into such an ultimate term of abuse that a senior judge of the Supreme Court felt obliged to make a public declaration on oath in a mosque that he was not in Ahmadi. Similarly, the displaced Muslim League rump in Punjab thought that it couldn't do better than give Chief Minister Manzoor Wattoo an Ahmadi name and hang him.

APART from the various blasphemy cases against the Christians, the year abounded in

specific instances of harassment of and discrimination against members of the community, including violence against Christian women, encroachment on Christian properties, disregard for the safety of Christian sanitary staff.

NAZIR MASIH was brutally tortured to death by Faisalabad police.

THE house of the Chief organiser of the Minorities Welfare Association in Kot Lakhpat, Lahore, was raided and robbed of its valuables.

THE Christian residents of Chak No. 119, Sangla Hill, were barbarously made to pay for daring to complain against a former chairman of the local council's appropriating a public passage for his private need, etc.

THE official pledge of restoration of the Hindus' mandirs and monuments damaged in the aftermath of Ayodhya and compensation for their losses in life and property was not kept.

EXPLOITATION and harassment of the labouring Hindu and Kohli community of Sindh and discrimination against them, generally continued.

A QABZA group occupied the only Hindu cremation ground in Rawalpindi.

MR. SAROOP CHAND was served with a notice to vacate his ancestral home in Rawalpindi within seven days since the Cantonment would not renew his lease.

FORCED conversion of the Kalash people in the Hindukush valleys continued to be reported. Schools and visiting tablighi teams remained determined agencies of conversion. Their idols for the annual ritual of homage to the mountain spirits were smashed by the proselytising Muslim in a self-appointed mission to purify the land of idolatry.

Sectarianism

THERE was clear rise in sectarian intolerance during the year. In Punjab the numbers killed and injured both doubled over the previous year. Two features were remarkable, the attacks on imambargahs and attacks within and over possession of mosques, and, secondly, the complicity of local functionaries in outbreaks of violence.

ANJUMAN-i-Sipah-i-Sahaba emerged as the most militant force. It adopted both parliamentary and extra-parliamentary methods towards its objective, which chiefly consisted in its aversion to Shiaism. It introduced a Tahaffuz-i-Namooos-i-Sahaba bill in the National Assembly, launched a Long March from Sadiqabad to Islamabad, campaigned within mosques and in public meetings, and was involved in most of the incidents of violence that occurred. The bulk of arrests made came from its ranks, and the caches of discovered often came from its members or its premises.

OUTBREAKS of sectarian violence occurred at a rate well above one every month, often causing injuries, even deaths.

SIX prominent sectarian leaders were assassinated during the year.

EARLY in the year government introduced a bill to check sectarianism. It was generally welcomed, but opposed principally from one quarter, that of ASSP.

THE campaign to declare Zikris non-Muslim was heightened. A bill was introduced in the National Assembly and a spokesman for the party leading the campaign, JUI, claimed that it had acquired the support of IJI, the ruling alliance at the centre. The days of the sect's annual observances in Bilochistan saw a succession of public rallies, burning of houses and even bids to disrupt congregations by firing of rockets. A spokesman of the Zikris foresaw a bloodbath if his community were not granted sufficient protection.

Freedom of expression

THE trend was a mixed one.

THE officially-controlled media functioned in full support of government policies and actions, political and other. They blocked all dissent. They included radio, the various channels of television, the National Press Trust newspapers, the wire services, the state-owned halls and stage facilities.

PUNJAB again talked of setting up its own television when with a government politically different at the centre it complained of distortion in the media controlled by the latter.

THE control over private sector feature films and publication of books was exercised through censorship arrangements. Films were mostly checked for obscenity and violence and books for contents considered offensive to Islam.

THERE were moves in early part of the year to further straiten films and television fare. The Council of Islamic Ideology recommended ban on women sport, dancing and music and only contents that promoted ideology and educational values.

THE privately owned newspapers functioned in relative independence. But there were recurrent complaints during the first half of the year from the journalists', editors' and newspaper owners' bodies of pressures and of `tensions' in relations between the government and the press. They revived their Joint Action Committee to `combat rising trend of intimidation and violence' against the press, which came from pressure groups as much as from the government. And it took the form of a series of both direct attacks and frequent threats against individual journalists and newspaper establishments. The Senate too debated the issue and set up a committee to go into the complaints.

Women

THE scope for women's participation in national life was kept minimal and their absence from senior and policy-making levels almost total. After a year's deliberation, CII postponed its ruling on whether it was Islamic to give them those positions. The laws' and customs' discrimination against them were also wide-ranging and often oppressive. Ms Bhutto's coming in late in the year promised marginal improvements, but she was stymied in making a start with restoration of women's seats in the legislatures.

75 TO 80 per cent of women in jails were there on charge of hudood offences. In some of the cases that went before the courts, the judge had to rule that the hudood charge had been wrongfully made.

VIOLENCE against women continued to get worse. A woman was raped every three hours, every other one raped was a minor, and every fourth one was gang-raped. In an increasing number of cases influential persons were involved on the side of the crime.

POLICE excesses against women in custody was a routine. Hudood ordinances came handy for taking women into custody, and the requirement that closer examination of women should only be made by women and that women held should be transferred to judicial custody was customarily ignored.

48 CASES of public humiliation of women were reported in Punjab, at a rate of four every month. This usually consisted of stripping the victim in public. At least one of the 48 committed suicide out of shame.

IN NEARLY half of over 400 cases of domestic violence reported in Punjab, the victim ended up dead. Besides this, death by stove-burn occurred at a rate well above one every other day.

FAMILY laws remained discriminatory against women. One result was increase in the number of divorces, some 100,000, or one of 30 women was divorced. The number of polygamous marriages also remained high: in one sample survey 21 of 500 marriages were polygamous. Law-and custom both tended to favour the male in the custody of children after divorce or dissolution of marriage.

THE gender-gap in literacy, in school enrolment and employment opportunities increased during the year; so did the mortality rate among girls.

Children

CHILD mortality rate remained one of the highest in the world. 230,000 new-borns did not live to see their first birthday, 400,000 under-5's died during the year, mostly from preventable diseases. 40% of the child population was rated as undernourished. Mortality among girl children was significantly higher than among boys.

CHILD labour was prevalent; much higher than the official estimate of 6 million under-14's. Despite government disclaimers child weavers numbered 1.2 million. Child workers were vulnerable to ENT diseases, TB, even lung cancer, apart from varying bone deformities.

CHILD kidnapping was as high as 400 a month in Punjab alone, about half remained untraced. The recovery rate fell over the previous year. It mostly occurred to feed the labour market. But there were some gruesome revelations too.

Labour

THE labour remained troubled through the year because of closures, especially in the textile sector, problems in the privatised units, prospects of new privatisation and increase in price levels.

THERE were more people who lost employment during the year than those who gained, including among the educated and semi-skilled.

UNCERTAINTY loomed over the railways, WAPDA and road transport sectors.

VIOLATION of labour laws was rampant. There was no instance of serious cognisance of it. With the climate increasingly supportive of the private investor, the labour widely felt threatened.

BREACHES of the law against bonded labour were rampant. The owners even went to Court against the law. A NEW labour policy promised early in the year did not ever materialize. The private sector's pressure for relaxation even in the earlier laws, especially relating to hiring and firing, heightened.

Education

ALLOCATION to education declined compared to the previous year.

ILLITERACY rate increased. SCHOOL enrolment rate declined.

THE teacher-pupil ratio worsened because of ban on recruitments.

EXAMINATION malpractices multiplied. Incidence of cheating, sale of examination papers, fiddling with results worsened.

CORRUPTION in examination boards was widely admitted. It was estimated to be in the region of Rs. 50 million in each of the boards of secondary and intermediate examinations. Other

institutions like the Punjab Text Book Board and Punjab Education Foundation also revelled in wrongful expenditures on massive scales.

STUDENT performance dipped to new lows with failure levels in the region of 80% at intermediate and graduation levels.

UNIVERSITIES were racked by mismanagement, dishonesty at the highest levels and mounting financial problems.

Health

THE state of the health sector also worsened with diminished allocations and insufficient attention.

GOVERNMENT-RUN hospitals remained notorious for overcrowding, unhygienic conditions, lack of medicine and equipment, insensitivity to patients, and reeking corruption. The Basic Health Units, and Rural Health Centres in towns and villages were worse off, without even the rudimentary facilities.

UP TO 70% of children's medicines in the market were judged either harmful or without value.

THE price of medicines were raised five times during the year, the eventual increase ranging from 12% to 333% over the year.

THE average ration of one doctor to 18,000 population in the cities and one to 25,000 in the villages concealed the reality of excessive concentration above the average and appalling rarity below it.

THERE were signs of an alarming increase in incidence of AIDS. One warning was that the country was 'heading for calamity'.

DRUG addiction remained on the rise, with every 16th male now an addict in a total addicted population of 3 million.

Political Participation

THERE was noticeable decline in political harassment.

TWO groups that remained at the receiving end were MQM and the Sindh nationalists.

WITH change of government towards the year's end there were reports of selective harassment by some in the PPP, especially by Mr. Faisal Saleh Hayat the principal adviser to Punjab Chief Minister.

THE October general election were acknowledged as generally fair and free. But the weaknesses both the inherent ones and those in the conduct of the polls were still numerous and correctable. The legal disenfranchisement of the people in tribal areas and the effective, if informal, disenfranchisement of most women in NWFP, the iniquitous system of the separate electorates, the vulnerabilities of linking identity cards with the right to vote, and an egregiously outdated voters' list all clearly had an impact on the fairness of the process and its honestly reflecting the will of the people.

Commitment to rights

1. Ratify the UN Covenant on Civil and Political Rights and its two Protocols.
2. It may not be possible yet to abolish death penalty envisaged in the second Protocol. But

demonstrate acceptance of its wisdom by:

- (a) not making any new additions to the list of offences liable to capital punishment;
- (b) commuting all pending death sentences to life imprisonment;
- (c) discouraging award of the death penalty by courts where alternative punishments are provided for.

3. The fundamental rights listed in the Constitution are almost invariably subject to law or to public order, morality and national security. Past practice has frequently made these qualifications more fundamental than the rights themselves, rendering the latter a matter of official convenience. The trend must be reversed. Any violations of the right should be permitted only in exceptional circumstances. The circumstances should demonstrably be of overriding importance.

4. Establish the precedent of annually reporting to the parliament on progress in the implementation of the Principles of Policy as laid down in the Constitution. Such reporting is a constitutional requirement but has continued to be ignored.

5. The parliament is becoming established as a mere extension of polemical platforms outside - of denunciatory press statements, press conferences and public meetings. It is either the fireworks or total vacuous boredom when even a quorum does not last. There is nothing in between. This is disastrous for the growth of the democratic process. Certain steps need to be taken. Namely:

(i) Confine recourse to issuance of ordinances to the rare circumstance when the need for a law cannot wait for the parliament to meet or cannot immediately afford long discussion. Law-making by ordinances has only been a subterfuge to dodge or disregard the parliament. It undermines the democratic principle by allowing the executive to arrogate to itself the role of the legislature.

(ii) Strengthen the committee system in the parliament.

(iii) Make the question-hour more effective. Require the treasury benches to be generally alert, attentive, well-briefed and present in the sessions.

6. Set in motion the much-needed process of electoral reform. The steps fall into two categories:

(i) Those that need constitutional amendments, such as restoration of joint electorate, introduction of proportional representation on partial basis, appointment to the election commission by consensus with the opposition, and rationalisation of the method of identification of the voter. Begin preparing ground for these.

(ii) Those that require administrative action, such as preparation of anew electoral rolls, correction and completion of the issuance of identity cards, and improvements in the electoral procedures. Get the agencies concerned to start moving on these.

7. Integrate the tribal areas into the country. Establish the system of adult franchise and the jurisdiction of the courts there.

8. Permit no room for political victimisation. Allegations such as those by MQM, the Jiyay Sindh Taraqqi Pasand Party and the Bhutto Committee in Sindh and about the doings of Mr. Faisal Saleh Hayat in Jhang should be taken note of, investigated and publicly replied to. Consider setting up standing committees, including members of the opposition. in the National and Provincial Assemblies to hear and investigate complaints of political harassment.

Administration of justice

9. Complete the process of separation of the executive and the judiciary by March as required. The separation should go to the lowest levels.

10. Establish the precedent of appointment of chief justices in consultation with the leader of the opposition

11. Take early steps to fill the vacancies in superior courts. Avoid sacrificing the principle of merit purely for considerations of Political like-mindedness.

12. It has been announced that the ordinance that set up Special Courts will not be extended after it runs out its life in July. But meanwhile also stop sending any new cases to those courts. Also phase out the terrorist courts. The normal law and courts are equally capable of dealing with terrorism suspects.

13. Take up the issue of law reforms. There are a number of recommendations on streamlining of procedures and eliminating undue delays over which there is consensus among the jurists. These should be implemented early.

Law and Order

14. Set up a high-powered ombudsman at the centre and provinces for police-citizen relations as a statutory institution answerable only to the assemblies. He should take notice of every report or complaint of serious excesses by the police - especially of torture, deaths in encounter and other incidents of extra-legal killing. He should have the means of impartial investigation and the powers of a high court judge of awarding sentences. The institution will in time become an effective deterrent against police excesses. It will also lift a substantial load of work from the normal courts.

15. Launch a sustainable drive to free the society of the flow of weaponry. The recent rise in crimes is in part due to the easy availability of the means of crime. Guns are used in almost all the incidents. Taking those guns out of the hands of the people is vital to bringing the crime graph down.

16. Examine the proposals made in the past for police reform. Simple expansion of the police force is not the answer. Indiscriminate recruitment only worsened the situation in Sindh. It gave a vast number of criminals the facility of a uniform and the authority of law. Tightening up of the system of training, supervision and accountability and enforcing a healthy liaison between the community and the law-enforcers will be indispensable elements in deterrence to crime.

Minorities

17. Pursue moves towards abolition of the system of separate electorates and bring the minorities back into the political mainstream.

18. Give minority members importance in the party cadre.

19. Restore nationalised Christian institutions to their original owners.

20. Require local civic bodies to bring areas of minority concentration on par with other localities in civic facilities like sanitation, water supply, gas and electricity, and to provide all the safety requirements for sanitary workers. Ensure that excesses against minorities, whether by police and other authorities or by private individuals or groups are taken serious note of and immediate protection or redress provided.

21. The court ruling that a non-Muslim's conversion to Islam automatically annuls her earlier marriage to a non-Muslim has led to egregious abuses. Consider possibility of a review of that decision. Also examine the scope for any changes in the personal laws of the minorities that they might consider necessary.

Theoritisiation

22. Take steps towards abolition of the Shariat Courts.

23. Demonstrate how the anti-blasphemy laws have consistently been open to abuse, and as a

move towards their repeal. Meanwhile, have a provision added in the law which, in the manner of qazf, would lay down severe punishment for wrongful accusation.

24. Beef up the anti-sectarian bill introduced by the PML government in the National Assembly in January 1993 and have it passed. It should provide for severer punishment for propagating sectarianism. The latter should include mutual denunciations as kafir etc. in mosques, in wall--chalkings, posters etc.

25. Allow no political quarter to bodies campaigning for any sect to be declared non-Muslim - as JUI is doing in respect of Zikris in Balochistan.

Freedom of expression

26. Make TV and Radio Corporations statutory bodies. They should have nominees of the opposition on the boards. That is the only way to begin to induce professionalism and public credibility in their current affairs programmes. Any supervision of the private channel should also be through a public body, not bureaucracy. There should be no need for a separate censor board

27. Set up a similarly independent body for media listing and grant of public sector advertisement. It should have representation both from the opposition and the media. Spell out the criteria in strictly objective terms to eliminate bias and personal discretion. Completely professionalise the Audit Urea of Circulation.

28. Pursue facilitatory measures for the representative bodies of the media (CPNS, APNS, PFUJ, APNEC) to agree on a code of ethics and the setting up of a press council

29. Encourage development of parallel cinema and growth of a film and theatre academy. The idea of NAFDEC should be revived on basis of lessons learnt. Commercial cinema can be influenced towards healthier directions if their grievances are heeded.

Women

30. Ratify the UN Convention on Elimination of All Forms of Discrimination against Women, and begin to bring national laws in line with it.

31. Repeal Hudood Ordinances.

32. Re-examine family laws in the light of lessons learnt from experience. For instance:

(i) The requirement of notification of divorce has to be strengthened. The husband should not be free to deny divorce if that suits his purpose and he wants to punish his former wife.

(ii) The reconciliation process has to be streamlined. Hundreds of cases continued to be unattended with the Union Councils throughout the last year despite the three-month limit placed by the law.

(iii) The girl's option to obtain right of divorce at the time of should be widely publicised and it should be made obligatory for the nikah-khwan to point this out at the time of filling of nuptial forms.

Also strengthen and strictly enforce the existing laws restricting expenditure on dowry and wedding function.

33. Press the constitutional amendment to ensure a strong presence of women in all the legislative bodies.

34. Establish women's presence in the other two arms of the State - the executive and the judiciary. Ensure their visibility at all policy-making levels.

35. Work for a 15 to 20 per cent size of women workforce in both public and private sectors.

36. Ratify the ILO Conventions and Recommendations in respect of women labour. Pakistan has so far agreed to only one of nine such provisions.

37. Improve methods of dealing with cases of violence against women.

For instance:

(i) Stiffen the laws and simplify the procedure for action against all of violence against women.

(ii) Rape and humiliation cases are usually hushed up, mostly because of pressures from influential persons. Every such case should be pursued to the end, the guilty severely punished and the influential ones unsparingly exposed.

(iii) Ensure strict observance of rules with regard to treatment of women suspects, detainees and prisoners.

(iv) Not a single case of stove-burn has yet been pursued to its conclusion. The phenomenon is often entirely blamed on defects in stove manufacture. If so, the official callousness in not enforcing standardisation is even more indefensible.

Children

38. Bring all laws strictly in accordance with the Convention on the Rights of the Child of which Pakistan is a signatory.

39. Ban child labour - at least up to 14 years of the child's age. Stiffen penalty for parents/guardians hiring out their children's/wards' labour.

40. Classify kidnapping, trafficking and child abuse as heinous crimes and stiffen punishments for them. Recovery rate fell during the past year. Tighten the process and make recovery a high priority for the police. Set up a specially trained section for children in each district.

Labour

41. Set up a tripartite cell for early drawing up of a new labour policy.

42. End the practice of exemptions from labour laws, even in special industrial zones. It is absurd to imply that there are conditions in which the accepted rights of a section of people can be permanently denied to them.

43. Re-examine the principles of privatisation in ways to better protect the interest of the labour. Correct the failures that have come to light in privatised units.

44. Strictly enforce the law against bonded labour, both in industry and agriculture.

45. End the practice of contract labour in normal employment now common just to avoid application of labour laws.

46. Examine the position with regard to ILO Conventions and Recommendations. The country has a poor record in the acceptance of these and the enforcement of the few it has accepted, such as the right to trade union and to collective bargaining,

Education

47. Make primary education compulsory.

48. Make universal literacy a national priority. Launch a country-wide drive mobilising the media, the NGOs and community elders and elite.

49. Popularise vocational training. Expand facilities with the cooperation of private sector industries.

50. Overhaul strategy and methods in respect of higher education to bring it in line with the country's present and projected manpower needs.

Health

51. Set priorities in the health sector as part of an integrated new health policy evolved in consultation with PMA.

52. The Basic Health Units and Rural Health Centres are in disarray. Former government considered privatisation as a way out, but found the prospects unencouraging. Strong initiatives will be needed to make them the primary element in the spread of health cover.

53. City and district hospitals suffer most from corrupt administration and next from the demands on them for ever remaining ahead of their capacity. Drastic action in both directions is needed.

54. Medicines have been another problem area. There have been sub-standard and spurious drugs. There has been occasional acute shortage of life-saving drugs. And price rose sharply over the last year. All this has been a result of absence of close supervision and firm control.

55. Paucity of doctors and paramedical staff generally and high concentration of them in city centres have been a running paradox responsible for much of the ills in the sector. The new health policy will have to adopt determined initiatives to begin finally to resolve the dilemma.

[Home](#)

The NGO Reports Database on Children's Rights includes all existing and public reports submitted to the Committee on the Convention of the Rights of the Child by NGOs and NGO Coalitions. The copyright of the reports are retained by the authors and use thereof must be duly acknowledged.

The database is the property of the Liaison Unit of the NGO Group for the Convention on the Rights of the Child and is managed by that unit. For further information or other enquiries please contact the Liaison Unit at dci-ngo.group@pingnet.ch.
