



REFERENCE: 2019-100/CESCR/FU

9 December 2019

Excellency,

In our capacity as Chair and Rapporteur for follow up to concluding observations of the Committee on Economic, Social and Cultural Rights respectively, we have the honour to refer to the examination of initial report of Pakistan at the Committee's sixty-first session, held in June 2017. In the concluding observations (E/C.12/PAK/CO/1), the Committee requested Pakistan to provide, within 18 months, written information on the steps undertaken to implement the recommendations contained in paragraphs 12, 14 and 80 (a) and (b) of the concluding observations.

The Committee welcomes the follow-up report (E/C.12/PAK/CO/1/Add.1) received in July 2019 under its follow-up procedure. The Committee examined the report at its sixty-sixth session, held in October 2019, and wishes to communicate the following assessment:

Paragraph 12: National Commission for Human Rights – Insufficient progress. In its follow-up report, the State party asserts that the National Commission for Human Rights functions without any political interference and enjoys full autonomy to promote and protect human rights under the 2012 National Human Rights Act. The report also details various budgetary measures to facilitate the effective functioning of the Commission. Moreover, it clarifies that the Commission is attached to the Ministry of Human Rights for auditing and accounting purposes.

The Committee regrets that the State party did not report on steps taken to address the question of mandate of the Commission to submit independent reports to the United Nations human rights mechanisms and to seek accreditation from the Global Alliance of the National Rights Institutions (GANHRI).

The Committee requests the State party to provide further information in its periodic report on legal guarantees of the functional and financial autonomy of the Commission, on any adjustment made to its mandate to make submissions independently to United Nations human rights mechanisms, and on concrete steps to seek accreditation from GANHRI.

Paragraph 14: Human rights defenders – Lack of sufficient information. The Committee welcomes the initiatives taken by the State party as outlined in its follow-up

report, including the Policy Guidelines for the Protection of Human Rights Defenders developed by the National Commission for Human Rights and the strengthening of the Commission of Inquiry on Enforced Disappearances.

However, the Committee notes the lack of concrete information on measures to thoroughly investigate all reported cases of harassment, disappearance and killings of human rights defenders and bring them to justice. Such information should include, for example, statistical data on prosecutions, convictions, and reparations/compensation provided to victims. Accordingly, the Committee considers that it lacks sufficient information to make an assessment and requests further information on these aspects in its next periodic report. It further requests that the State party provide update on progress in the enactment of the draft Journalist Welfare and Protection Bill as well as on the impact of the implementation of the Policy Guidelines for the Protection of Human Rights Defenders.

Paragraph 80 (a) and (b): Right to education – Sufficient progress. The State party outlines in the follow-up report a number of concrete measures to address the recommendations made by the Committee, including the road maps adopted by provincial governments to deliver free and compulsory education as well as specific measures for the Islamabad Capital Territory. It is evident that significant steps have been taken by the State party. Statistics for 2016-2017 show improvement in enrolment rates and decline in the number of out-of-school children.

Nonetheless, major challenges remain particularly in relation to out-of-school-children (44 per cent). The Committee also notes that the State party did not provide concrete information on coordination with child labour policies nor on the impact of measures in reducing disparities in enrolment rates between rural and urban areas.

The Committee assesses that the State party has made sufficient progress but is requested to provide further information in its next periodic report on progress made with regard to the recommendations in paragraphs 80 (a) and (b), specifically on the reduction of the number of out-of-school children and of gender and urban/rural disparities in enrolment rates.

The Committee looks forward to continuing its constructive dialogue with the Government of Pakistan, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Covenant.

Please accept, Excellency, the assurance of our highest consideration.



Renato Zerbini Ribeiro Leão
Chair
Committee on Economic, Social
and Cultural Rights



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