



POST-EVENT REPORT





In June 2023, Justice Project Pakistan (JPP), in collaboration with the Parliamentarian's Commission for Human Rights (PCHR), held its first ever GSP+ Week: a series of seven high-level consultations that launched our [policy briefs](#) on key priority areas under the GSP+.

These high-level consultations fostered discussion on human rights priorities defined in the last GSP+ report, bringing stakeholders together to **examine progress, identify gaps** and **devise a plan of action** for the future.

GSP+ Week High-Level Consultations

Pakistan is currently undergoing its last review and assessment of the GSP+ under the current system. The resulting EU report will reflect on the trajectory of Pakistan over the last 10 years under GSP+. It's a final opportunity for Pakistan to demonstrate its efforts towards meeting the benchmarks to which it has committed itself.

For the new GSP+ system, which will be in force globally as of 2024, Pakistan, like any other countries seeking to continue benefiting from the preferential access to the EU market, will have to re-apply. As part of the re-application, beneficiary countries will have to submit a work-plan, spelling out how they intend to make further progress in implementing the relevant international conventions. To be successful, the work plan needs to be ambitious, but also realistic, based on the track record of the past and with a strong buy-in from relevant institutions, political actors and civil society.

The purpose of the "GSP+ week" is to give another, final push to make progress that could be reflected in the last EU report under the 2014-2023 GSP+ system. More importantly, we seek to launch a national debate among government, judiciary, civil society and other stakeholders in view of the work-plan that Pakistan will have to submit to maintain the benefits of GSP+ in the future.

The event is independently initiated and organised by Justice Project Pakistan (JPP) and Parliamentarians Commission for Human Rights (PCHR).

The European Union's Special Incentive Arrangement for Sustainable Development and Good Governance (GSP) supports developing countries to reduce poverty and boost economic development through trade incentives. Beneficiary countries gain privileged access to the European Single Market of 450 million consumers at preferential rates (GSP) or zero duties (GSP+) for over 70% of all tariff lines. The GSP+ incentives are offered in return for the implementation of core international conventions in the area of human rights, labour rights, governance and environmental protection.

Pakistan was granted GSP+ status by the EU in January 2014 for the period of 2014-2023. The scheme allows Pakistan to export more than 78% of its products to the EU. The EU is Pakistan's second most important trading partner, accounting for 14.3% of Pakistan's total trade in 2020 and Pakistan's most important export destination (28% of Pakistan's total exports), bringing important foreign exchange into the country. Since acceding to the GSP+ scheme, the trade between the EU and Pakistan increased from 6.9 billion Euros in 2013 to 12.2 billion Euros in 2021.

Welcome

Pakistan is currently undergoing its last review and assessment of the GSP+ under the current system. The resulting EU report will reflect on the trajectory of Pakistan over the last 10 years under GSP+. It's a final opportunity for Pakistan to demonstrate its efforts towards meeting the benchmarks to which it has committed itself.

Amidst this critical phase in Pakistan's history, JPP and PCHR sought to bring together expert stakeholders to assess recent developments, highlight progress, and frame strategic recommendations for continued reform, on the following areas; prevention of torture, women's rights, child rights, labour rights, environmental protection, national security and the right to life.

With JPP's policy briefs on the above-mentioned areas serving as an anchor for discussion, the consultations reaffirmed the value of solution-driven, technical debate and the need to include as many expert stakeholders as possible when strategizing for the future.

The intention here was to provide a forum for Federal Ministers, superior court justices, parliamentarians, senior bureaucrats, representatives of diplomatic missions and leading voices in civil society to discuss Pakistan's trajectory of compliance with the GSP+. The echoing consensus was that this scheme had opened up countless avenues for positive human rights reform, while also playing an integral role in propping up Pakistan's fragile economy. Furthermore, with the event being live-streamed



for Members of the European Parliament, representatives from the European Council of Member States, the European Commission's GSP+ team in Brussels and select international partners, GSP+ Week gave the Government of Pakistan and local human rights organisations the opportunity to highlight the progress Pakistan has made over the past decade under this agreement. The importance of displaying this progress in the reapplication process was hammered home as well.

Over the course of four days, JPP hosted 7 sessions with 6 guest speakers and 23 panelists. This conference report synthesises the central insights and perspectives from the exchanges that took place. Seven session summaries put a spotlight on our distinguished expert panellists and expert participants and their inputs on a range of topics, from strategies to combat police torture, improved protections for women and children and labour safeguards, to the need for environmental protection policies, citizen security and reduction in the scope of the death penalty. The strategic recommendations will both borrow recommendations contained in JPP's policy briefs, as well as outline a plan of action for the Government of Pakistan to follow in order to increase its chances of retaining GSP+ status and implementing international human rights law in the country.



Welcome p. 2

INTRODUCTION

p. 12 Opening Remarks: Dr. Ewa Synowiec, Principal Advisor at the Directorate General for Trade of the European Commission

THE CONSULTATIONS

p. 14 Pakistan's Compliance with the Convention Against Torture

p. 18 Pakistan's Compliance with the Convention on the Elimination of All Forms of Discrimination Against Women

p. 24 Pakistan's Compliance with the Convention on the Rights of the Child

p. 32 Pakistan's Compliance with ILO Labour Rights Conventions

p. 38 Pakistan's Compliance with Conventions on Environmental Protection & Climate Change

p. 44 The GSP+ & Pakistan's National Security Policy

p. 50 Pakistan's Compliance with Article 6: The Right to Life (ICCPR)

SPEAKERS

p. 60 Speaker

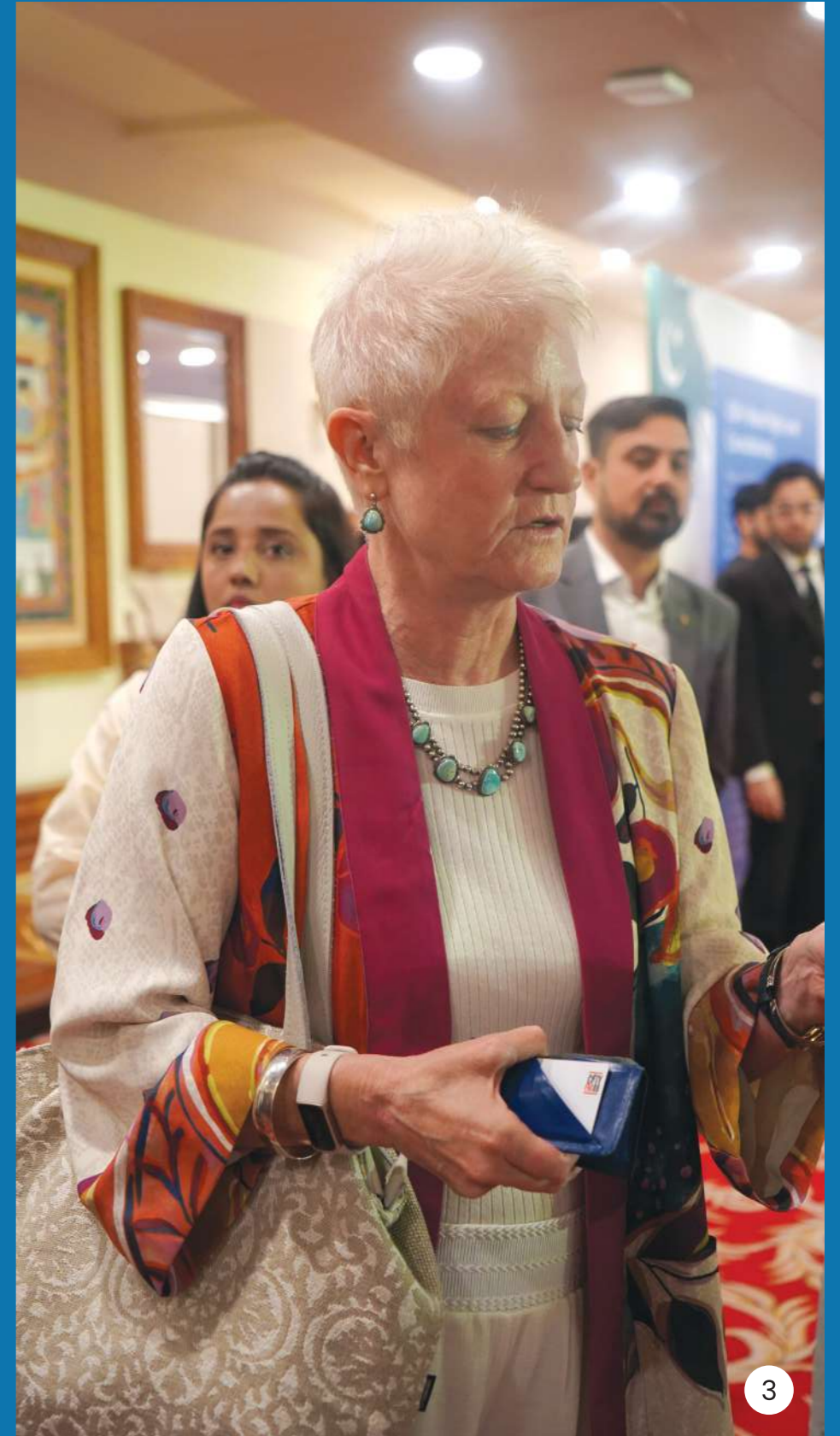
CONCLUSION

p. 68 Closing Remarks: H.E. Ms. Riina Kionka, EU Ambassador to Pakistan

FIGURES

p. 70 Participant Statistics





1 Federal Minister for Energy, Khurram Dastgir Khan speaking with Prof. Dr. Farhan Siddiqi

2 Ex-senator and human rights pioneer Farhatullah Babar

3 H.E. Riina Kionka, EU Ambassador to Pakistan



Opening Remarks

Dr. Ewa Synowiec, Principal Adviser European Commission DG trade, kicked off the GSP+ Week by acknowledging the need for a discussion on the importance of the GSP+ scheme for Pakistan and Pakistan's progress on the front of International Human Rights Law.

She recalled that trading goods was an essential part of relations between the EU and Pakistan. Dr. Synowiec further stated that the GSP+ scheme played a significant role in incentivising the enactment and implementation of reforms in line with international conventions. Adding that this scheme was set to expire by the end of 2023, Dr. Synowiec stated that Pakistan now faced the unique challenge of having to display its progress and prove to the EU that it was taking the necessary steps to implement positive reform.

She reiterated that both the EU and Pakistan must fulfil the international obligations that are common to them.



“The EU is currently working on a new framework and Pakistan will have to reapply for preferential status of GSP+. Now is the time for an action plan and increased reform.”



THE CONSULTATIONS





Pakistan's Compliance with the Convention Against Torture

Moderating the panel, Chaudhry Shafique, the Executive Director of PCHR, began the discussion by directing his first question at Criminal and Constitutional Lawyer, Barrister Ahmed Pansota.

Mr. Ahmed Pansota began his intervention by stating the constitutional provisions regarding the prohibition of torture and referred to the judgement of Federal Shariat Court regarding torture. He expressed dismay over the fact that judiciary was not aware of how the law on prohibition of torture works. He recognized two jurisdictions that could play an important role in taking cognizance of torture namely the National Commission on Human Rights and Federal Shariat Court. He proposed to curb torture through a more active role played by the National Commission on Human Rights (NCHR) and through enhanced awareness on part of the judiciary.

Barrister Sarah Belal, the Executive Director of Justice Project Pakistan (JPP), recalled how the law on torture in Pakistan, before the enactment of Torture and Custodial Death (Punishment and Prevention) Act 2022, was so scattered that it was virtually impossible to prosecute cases of torture. She recognized the importance of the Act and identified the need to frame enabling rules under the Act clearly outlining the roles of all actors responsible for the implementation of the Act. She proposed a two-pronged advocacy strategy of focusing on the framing of rules and spreading awareness of the law.

Mr. Saqib Sultan, the Director General of the Federal Investigation Agency (FIA), stated the issue with the Act being that it left gaps as to how the Federal Investigation Agency is to interact with the provinces on investigation of torture, given that law enforcement and police departments are a provincial matter. He also listed some positive steps taken by the government such as holding perpetrators of torture to account. He suggested that more focus and communication among stakeholders were required to monitor and curb custodial torture.

Dr. Khurram Sohail, forensic expert and former member of the Faisalabad District Standing Medical Board, who has been dealing with cases of torture since 2003, shared data on police excesses. He informed the audience that he came across more than 300 cases per year, only in the district of Faisalabad expressing concern over the magnitude of the issue for the entire province. He expressed concern over the fact that those responsible for committing such violations were never held responsible. To counter torture, he recommended that medico-legal examinations must be ordered by court, and not just medical examinations and stressed the importance of combined efforts to train the stakeholders to achieve lasting change.

STRATEGIC RECOMMENDATIONS

1. Improve the Act's compliance with the UNCAT by expanding the definition of torture to include psychological torture, repeal the provision penalising complainants for 'malafide complaints', remove the death penalty for perpetrators, define and criminalise cruel, inhuman or degrading treatment and sexual violence, and provide a mechanism for reparations, compensation, and rehabilitation.

2. Frame enabling rules and regulations under the Act which reflect the principles established in the Mandela Rules, Istanbul Protocol, Mendez Principles and Minnesota Protocol.

3. Institute a special committee to oversee the implementation of the Act, consisting of members of the Federal and Provincial governments, judiciary, law enforcement agencies, Provincial health departments, and civil society experts.

4. Develop torture investigation guidelines for the FIA, the NCHR, medico-legal practitioners, and police in line with the Istanbul Protocol, Mendez Principles and Minnesota Protocol, and offer consistent training on the same.

5. Build the capacities of the judiciary on evaluating medico-legal evidence and adjudicating cases of torture under the Act through judicial academies and the development of a benchbook to assist them.

6. Develop a medico-legal chain bringing together all stakeholders in the fight to eradicate torture to ensure effective communication.

7. Train lawyers on procedures for prosecution under the Act through bar councils.

8. Train prison authorities on which detention practices constitute torture under the Act and ensure that jail Medical Officers are fully sensitised regarding international best practices for medical examination through prison academies.

9. Ensure close coordination at provincial level to ensure standard application of law across Pakistan from capacity-building to monitoring, documentation, investigation, prosecution, and remedy.

10. Maintain record of disaggregated data on torture and publish it regularly while protecting the identities of victims. This includes ensuring that all registers in places of detention are properly maintained and keeping record of the complaints received by the NCHR during jail visits and in the normal course of their operation.





Pakistan's Compliance with the Convention on Elimination of All Forms of Discrimination Against Women

The session, opened by Maneha Tariq of Justice Project Pakistan, began with a keynote address by The Hon'ble Mr. Justice Anwaar Hussain of the Lahore High Court. The Honourable Justice spoke at length about the important trajectory of upholding and promoting women's rights witnessed in Pakistan and the powerful protections contained within the Constitution, which in many ways mirror the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). "Women's rights are human rights", he said, stating that Islamic history, law and jurisprudence all confer equal and fair status on women. He spoke about the numerous judgements passed by Pakistan's judiciary in recent years to protect women's rights, including the establishment of a woman's right to consent to marriage, elimination of the two finger test, the women's right to maintenance and recovery of dower articles, and protection from harassment.

Zainab Malik, the author of the brief, then gave her presentation on the findings of the brief (detailed in the previous section) before Valerie Khan - a gender specialist - began her moderation of the panel by asking Ms. Fauzia Viqar, Federal Ombudsman for the Protection of Women Against Harassment at the Workplace, about the role that National Human Rights Institutions (NHRIs) such as the National Commission on the Status of Women (NCSW) play in protecting women's rights, and what obstacles they face. Ms. Viqar spoke about these hurdles, saying there is a resource constraint in NHRIs, as well as a politicisation of appointments; the solution to this, she proposed, would be to appoint people who are experts through an independent hiring process. She also said another issue is the amount of bureaucratic

hurdles that impede ability to function effectively. Citing the plethora of laws that Pakistan has passed that protect women, she said that the distinct measures and sections within these laws need to be brought into effect and implemented to fully realise the protections and potential of these laws. Ms. Viqar praised the role the police has played in championing women's rights, and stated that low participation in economic life was a major factor in the oppression of women and the perpetuation of Gender-Based Violence (GBV).

Former IG Punjab, Mr. Aamir Zulfiqar, spoke about the numerous initiatives taken by the police to include women, and recently, the transgender community, in the police force. He highlighted the need to change mindsets regarding women on a societal level, and that this was especially important in rural areas. Social taboos and biases against women will end by bringing more women to mainstream lines of work, he said, adding that he hoped to continue advocating for the rights of female police officers in the force, and women as a whole in the country.

Panelist Reem Sharif, deputy director of the Transgender Protection Centre at the Ministry of Human Rights highlighted the immense importance of both including transgender women in the fight for women's rights, as well as engaging in a parallel struggle for the distinctive and unique rights of transgender persons in Pakistan. She mentioned her hope that the recent Federal Shariat Court (FSC) ruling limiting the rights of transgender persons

would be overturned. She spoke about the trainings, sensitivity programmes and awareness campaigns that the MOHR carried out with public bodies in Pakistan.

Mr. Aamir Zulfiqar spoke about the need to reintroduce courses on civics and ethics in school that spread awareness and compassion, particularly on women's rights and inclusion. To this, Esq. Syed Muaz Shah stated that Mr. Azam Nazeer Tarrar, Honourable Federal Minister of Law and Justice, who was present, was the chair of the Legal Education Committee, and could help introduce these courses in law schools across the country, saying that he would be happy to sit with Mr. Tarrar and design these courses.

Esq Syed Muaz Shah, an expert on Islamic law and human rights, said that the human rights community doesn't give enough credit when the Federal Shariat Court (FSC) or the ulema sitting in the Council of Islamic Ideology (CII) do something progressive and come on board with promoting women's rights, such as the FSC ruling on welcoming female judges and outlawing honour killing. He highlighted the need to collaborate with the ulema to promote reform at the intersection of gender justice and Islamic principles. Ms. Viqar agreed with this, saying that the religious hardline mindset had to be engaged with and changed, as opposed to Government and his Ministry were engaging in multi-stakeholder discussions in advance of the appeal process to find an equitable solution on the matter. He then spoke about the issues regarding the implementation of all the positive women's rights laws passed in recent years, and how this was being actively improved by both the Federal Government as well as the judiciary, through increasingly progressive rulings and orders.

Inputs from Ms. Samina Nazir of the Potohar Organisation for Development Advocacy (PODA) helped



bring the conversation to the plight of rural women, their economic empowerment, and the fact that despite many laws being passed, these women rarely, if ever, saw the benefits of them.

Summing up the discussion, Thomas Seiler, Deputy Head of the EU Mission in Pakistan, highlighted the importance of implementing and enforcing the legislation, as well as the potential for creating country-specific indicators, in Pakistan's reapplication for the GSP+. Here, participants agreed that those working closely on women's rights at the grassroots, social, legislative

and executive level needed to collaborate to form an action plan for the Government to follow over the next two years and to show the EU how much progress was being made. The prohibition of torture and referred to the judgement of Federal Shariat Court regarding torture. He expressed dismay over the fact that judiciary was not aware of how the law on prohibition of torture works. He recognized two jurisdictions that could play an important role in taking cognizance of torture namely the National Commission on Human Rights and Federal Shariat Court. He proposed to curb torture through a more active role played by the National Commission on Human Rights (NCHR) and through enhanced awareness on part of the judiciary.

Barrister Sarah Belal, the Executive Director of Justice Project Pakistan (JPP), recalled how the law on torture in Pakistan, before the enactment of Torture and Custodial Death (Punishment and Prevention) Act 2022, was so scattered that it was virtually impossible to prosecute cases of torture. She recognized the importance of the Act and identified the need to frame enabling rules under the Act clearly outlining the roles of all actors responsible for the implementation of the Act. She proposed a two-pronged advocacy strategy of focusing on the framing of rules and spreading awareness of the law.

“Statistics, while important, do not tell the full story. What is most important is the journey to reform, this definitely will not go unnoticed and will be appreciated by the European Commission when re-applying for the GSP+”

Thomas Seiler, Deputy Head of the EU Mission to Pakistan.

STRATEGIC RECOMMENDATIONS

1. Form a coalition between FOSPAH, CSOs such as PODA and the Federal Ministry of Law and Justice to devise an action plan on the implementation of women's rights legislation at the federal and provincial level for the Government of Pakistan and the GSP+ monitoring mission.

Collaborate with the Legal Education Committee to introduce gender-sensitivity and civics-oriented courses in law schools that spread awareness regarding women's rights and foster a right-based approach to women's issues.

2. Heighten engagement with the ulema to realise protections for women in accordance with both international human rights law and Islamic standards.

Adopt a national plan of action to combat all forms of gender-based violence against women, with a particular focus on domestic violence.

3. Introduce systematic capacity-building programs for judges, prosecutors, police officers and other law enforcement officials on the strict application of criminal law provisions for cases of gender-based violence against women and on gender-sensitive investigation procedures, and introduce mandatory training for medical personnel.

4. Ensure that the NCSW has adequate human, technical and financial resources to fulfil its mandate.



5. Accelerate the process for the appointment of the Chair of the Punjab Commission on the Status of Women (PCSW).

6. Promulgate rules for the implementation of the Provincial Domestic Violence laws.

7. Enact the Federal Domestic Violence (Prevention and Protection) Bill, 2021.

8. Amend the Child Marriage Restraint Acts to set the minimum age of marriage at 18 years for both sexes without exception throughout the country.

9. Expedite the adoption of a bill to amend the Christian Marriage Act and the Christian Divorce Act and of the marriage bill for Sikhs.

10. Increase minimum quotas for the representation of women in the National Assembly, the provincial assemblies and the Senate to at least 30 per cent, in accordance with international standards.

11. Establish a procedure for women to file complaints about forced disenfranchisement and adopt the draft bill submitted by the Election Commission of Pakistan, requiring re-polling in elections in which women's votes account for less than 10 per cent of all votes cast.

12. Take targeted measures, including temporary special measures, such as the preferential recruitment of women in cases of equal qualifications, to increase the number of women judges in the higher courts and ensure the appointment of women to the Supreme Court.



Pakistan's Compliance with the Convention on the Rights of the Child

Delivering his keynote address, the Federal Minister for Human Rights Mr. Mian Riaz Hussain Pirzada expressed gratitude to the attendees of the conference on Pakistan's progress in implementing international conventions. He acknowledged the challenges while emphasising the country's commitment to constructive dialogues for overcoming them. Mr. Pirzada highlighted the significance of the United Nations Convention on the Rights of the Child (UNCRC), noting Pakistan's proud status as the first Muslim country and sixth nation worldwide to ratify it. He outlined the MOHR's efforts made in improving child protection, justice, combating sexual violence against children, eradicating child labor, and strengthening collaboration with provinces, civil society, and United Nations (UN) institutions. The minister concluded by reaffirming Pakistan's dedication to upholding children's rights as per the Constitution and international obligations.



Miss Valerie Khan, a child rights expert and the author of the JPP policy brief on child rights, highlighted the need for an updated report on Pakistan's efforts to fulfil its obligations under the UNCRC. In her presentation of the brief, she recommended that a national action plan on child rights be formed, birth registration and family planning initiatives be accelerated, protections be implemented to stop the practices of forced marriage and child labour, and restorative justice be promoted.

Speaking about her new role as Chairperson of the National Commission on the Rights of the Child (NCRC), Senator. Ayesha Raza Farooq stated that the NCRC was formulating a three year action plan for the promotion and protection of child rights in Pakistan, with a heavy focus on improving implementation of existing laws and safeguards for children in contact or in conflict with the law. She stated that they would work closely with the MOHR on developing this plan, and it would also prioritise data collection and establishment of child courts across the country, building upon local examples of best practices.

Mr. Iqbal Dheto, Chairman of the Sindh Commission on Human Rights (SCHR), stressed the role of national human rights institutions in promoting and protecting child rights. He highlighted the need for legislative review of existing laws, policy guidelines on the implementation of laws and better alignment and communication among different departments at the federal and provincial levels. He further

stressed the need for standardization of child marriage laws and for other child relevant laws to have similar minimum standards.

Mr. Miqdad Mehdi, a juvenile justice lawyer and child rights expert, discussed the high infant mortality rate in Pakistan and the lack of legislation for compulsory reporting of infant and mother mortality. He emphasised the need for improved surveillance, legislation, and specialised courts to address child protection issues effectively. After the panellists shared their inputs, Senator FarhatUllah Babar raised three important observations, including the need to recognize the important role of mothers in protecting children, focus on implementing existing laws rather than creating new ones, and establish a reliable national database to collect accurate data on child protection.

Other participants including Dr. Rubina Fareed, Dr. Asma Humayun and Advocate Hidsa Bukhari highlighted the importance of addressing vulnerabilities of children in the agricultural sector, improving mental health services, strengthening police and judiciary training, and integrating child rights topics into school curricula.

Former Registrar of the Peshawar High Court, (Rtd) Session Judge Khawaja Wajiuddin, spoke about the success of child courts they had seen in Khyber Pakhtunkhwa, and recommended these courts be established across the country, at district level, while Mufti Abdul Jameel Mansoori stated that since the Quran and Hadith take child rights extremely seriously, this subject should be implemented in syllabi across madrassas and schools.



STRATEGIC RECOMMENDATIONS

1. Collaborate with the Child Rights Commission and other relevant institutions to conduct research on child rights issues in Pakistan. This could involve studying the implementation of existing laws, identifying gaps, and formulating evidence-based policy recommendations.

2. Work with national human rights institutions, such as the Sindh Commission of Human Rights, to review and align legislation related to child rights with international conventions and protocols. Focus on addressing inconsistencies, standardising minimum standards, and improving implementation mechanisms.

3. Collaborate with law enforcement agencies, judiciary, and educational institutions to develop comprehensive training programs on child rights. This could include sensitising police officers on interacting with child victims and suspects, providing specialised training for child court judges, and integrating child rights topics into school curricula.

4. Support efforts to establish a national database for accurate and reliable data on child protection issues. Advocate for compulsory reporting of infant and maternal mortality rates and improve surveillance mechanisms.

5. Collaborate with relevant stakeholders to ensure data collection and reporting mechanisms are in place.



5. Engage in awareness campaigns targeting both children and parents to raise awareness about child rights. Utilise creative and user-friendly methods to effectively communicate key messages. Collaborate with media organisations, schools, and community groups to reach a wider audience.

6. Explore opportunities to collaborate on protocols and recommendations for addressing the rights of women and children in disaster-prone areas. Emphasise the importance of family planning and ensuring the protection and well-being of vulnerable children during and after disasters.

7. Advocate for the integration of mental health care services at the primary care level, particularly focusing on children's mental health. Support the development of referral mechanisms and pilot models to address mental health issues among children.

8. Identify opportunities to align national efforts with international conventions, such as the UNCRC. Consider sharing experiences and best practices with other countries to strengthen child rights frameworks.

Foster collaboration with civil society organisations working on child rights issues. Exchange knowledge, share resources, and jointly advocate for policy changes and implementation.

9. Update and enforce a national action plan on child rights and develop a national child protection policy in consultation with all the provinces and national road map on child justice.

10. Upscale efforts related to birth registration and family planning.

11. Enact laws putting the minimum age of marriage for girls at 18 in all provinces of the country, ensure that the submission of a valid CNIC is conditional to the celebration and registration of the marriage, and that adults violating the laws are held accountable.

12. Amend the Pakistan Penal Code to ban child domestic labour under 18 as a form of modern slavery; Operationalise diversion programmes 21, juvenile courts, observation homes, and rehabilitation centres for juveniles in line with the General Comment 24 of the UNCRC.

13. Pursue efforts to enforce the minimum wage, promote women's financial inclusion and gender justice as a pathway to alleviate poverty.

14. Upscale efforts to establish schools for all, reform the curriculum and include sciences, age-appropriate Life Skills Based Education, peace, gender justice and freedom of religious belief.

15. Include more women in the justice sector.

16. Map, adopt, replicate and upscale local examples of good practices for child rights.

17. Establish expertise-based police units, prosecutors, defence lawyers and judicial teams with exclusive mandate to address cases of child abuse.

18. Operationalise systemic multi-sectoral child protection mechanisms and family-based alternative care structures.

19. Incentivise children's education.

20. Conduct youth-participatory, creative, mass awareness campaigns on child rights and child protection; Allocate adequate resources and develop monitoring & evaluation plans to execute all these recommendations.





Pakistan's Compliance with ILO Conventions

The panel was opened by Ahmed Khaver presenting key findings from the Policy Brief. He talked about the legislative progress in the arena of labour laws that Pakistan has made in terms of legislation and enforcement at the provincial and district levels, following the 18th amendment. The presence of a four-tier labour judiciary system and the enactment of bonded labour system abolition acts in all four provinces indicate positive steps towards labour rights. However, he acknowledged the need for remaining challenges and hindrances to be addressed.

Mr. Muhammad Rafique, a rights expert from the Knowledge Forum, began his intervention by discussing how labour rights were one of the lowest priorities for Pakistan, reflected in the low budgetary allocation to improve labour standards. He advocated for representation of labourers in government and emphasised the need for efforts from the international community and local labour unions to prioritise labour rights as well as the standardisation and harmonisation of labour-related institutions.

Ms. Rabbia Razzaque, Senior Programme Officer at ILO, shed light on the reporting mechanism under the 8 core ILO conventions under the supervisory mechanism of ILO called the Committee of Experts on the Application of Conventions and Recommendations. Ms. Rabbia Razzaque highlighted challenges in the implementation of labour laws, such as the need for better coordination and communication, scarce resources, inadequate staff for labour inspection, and the absence of sector-specific worker organisations. She also mentioned efforts

to simplify and consolidate labour laws, establish specialised courts, and work on a model law for collective bargaining.

The creation of the National Compliance Centre and ILO's hub for examining free trade agreements were suggested as potential avenues for addressing these challenges.

Mr. Asad Mehmood, Deputy General Secretary of Pakistan Workers' Federation, emphasised the need for promoting social dialogue, active District Vigilance Committees (DVCs) for enforcing labour laws, and regular tripartite consultations to address concerns effectively. He mentioned collaborative efforts with the International Labour Organization (ILO) to eliminate child labour in the cotton industry and proposed holding a tripartite conference that brings everyone on the same platform.

Mr. Afzal Butt, President Pakistan Federal Union of Journalists, spoke about the important role trade unions play in Pakistan, and the restrictions they face in standing up for worker rights.. He raised concerns about the working conditions in media houses and the lack of attention given to this issue. They highlight the existence of a law for newspaper workers but criticise the judiciary for favouring media house owners and the media houses for concealing their secrets. He suggested making press clubs a centre for labour activities and involving

organisations like the Pakistan Federal Union of Journalists (PFUJ) in trade and labour union activities. He also proposed that states should assess compliance with labour laws before granting landing rights to media houses and advocate for every worker to have the right to register in a trade union regardless of their field of work.

Mr. Farhatullah Babar, former senator, discussed the need to contextualise these issues of labour rights. He explained the historical context of labour-employer conflicts and the establishment of the International Labour Organization (ILO), as well as constitutional protections for workers in Pakistan. He suggested transferring certain critical clauses from the principles of policy to the chapter of fundamental rights. He stressed the importance of trade unions in collectively addressing worker issues.

Mr. Karim Kettani, Head of Contracts, Finance, and Audit at the European Union Mission in Pakistan, suggested that standardisation of labour standards should be based on minimum standards and human rights principles. He mentioned that involvement of employers through tripartite committees and the strengthening of worker committees and member-based organisations were important steps. He also mentioned ongoing discussions at the international level, such as the International Labour Conference (ILC), where topics like just transitions and equitable distribution were being addressed. He urged all political parties to work on restructuring the position of labour rights within the legal framework, potentially by transferring principles of policy to the fundamental section of human rights.



STRATEGIC RECOMMENDATIONS

1. Increase representation of labourers in political parties or the Government;
2. Standardise labour rights institutions across the country;
3. Remove restrictions on strike action, minimum threshold of the number of employees to bargain collectively and curtail the employers' right to unilateral action;
4. Build capacity of Labour Inspectorates and District Vigilance Committees;
5. Align labour laws at the federal and provincial levels;
6. Conduct awareness campaigns for sensitising general labour against child and bonded and domestic labour is imperative;
7. Empower labour courts to solve disputes in a timely manner by introducing time limits on cases;
8. Develop laws that support and protect workers in the informal economy;
9. Facilitate tripartite dialogue between the Government, employers and workers representatives, especially in





Pakistan's Compliance Conventions on Environmental Protection and Climate Change

The session began with the keynote address of Miss Seemee Ezdi, chairperson of the Senate Standing Committee on Climate Change. Miss Ezdi shed light on some of the milestones that Pakistan has achieved in its journey of compliance with the international conventions on environmental protection and climate change. Highlighting some of the key legislative measures that Pakistan has taken, Miss Ezdi showed the progress Pakistan has made in this regard. One such example is the electric vehicles policy 2020 that targets 30% of our vehicles to go electric by 2030. Another example is of the alternative energy policy 2020 aims to produce 20% of Pakistan electricity by renewable energy sources. Moreover, the National Water Policy aims to promote the sustainable use of water. She stated that steps have been taken by the government to control the use of plastic bags and improve compliance with biodiversity conventions. She spoke of the importance of mangrove forests for the protection of marine biodiversity and stated that Pakistan has increased mangrove forest at an annual rate of 3.74%.

Mr. Ejaz Haider began his moderation of the panel by asking Dr. Ilhan Niaz to share his thoughts on Pakistan's role in its journey of compliance with relevant international conventions in the field of environmental protection. Dr. Niaz responded by sharing an event of the government's decision to construct Barakahu underpass by including the area of Quaid-e-Azam University in it too. He linked this incident with the current state of bureaucracy in Pakistan by asserting that Regulatory bodies and various assorted quasi judicial mechanisms think that environmental protection is a mere talking point and is of no use in reality. This lack of seriousness and commitment of

part of government is something that does not allow the international obligations to be fully met. Referring to the government's abandonment of plastic ban regulations midway, he tried to bring the attention of participants toward this lack of determination on the part of the government.

Moving on, Barrister Rafay shared his insights on the issue by reflecting on the lack of application of the legislation that is already passed. He stated that all provinces have passed their legislation pertaining to the environment because after the 18th amendment, this has become a provincial subject. A federal environmental act of 1977 is also in place. But the problem, he spoke, lies with the making of enabling rules and regulations for these Acts that will aid the smooth implementation of the provisions stated therein. Hence, a robust system for application needs to be introduced along with better consultation and cooperation among all the provinces.

Ms. Erum Sattar, the author of the brief, added that Pakistan's reporting is not transparent and substantive. No one pays due attention to the content of reports that we submit.

Talha Tufail, a student of environment, states that most of the policies that we introduce are top down. However, we need a bottom up approach. If we want to implement these policies at the local district level, then we need to follow a bottom up approach, encouraging the stakeholders at lower levels in the hierarchy to present their concerns for better implementation of policies.

Aftab Alam Khan, a development consultant, introduced a new perspective in the present discussion by highlighting the need to assess sectoral capacity and introduce policies by considering each sector's situation closely. He suggested imposing a complete ban on the real estate sector for encroaching upon green belts and fines should be imposed on them for such violations. Moreover, 40% of their area should be designated for non-residential purposes like parks. He further emphasised the need to have proper and effective implementation and evaluation mechanisms.



Erum Sattar presented an interesting suggestion that school children and rural communities can be provided adequate training to monitor the level of water in rivers as an early-warning system against flash flooding. India has followed this practice for early warning systems and it does not require a lot of funds. In this way, citizens become custodian of the environment and hence local communities are our best measuring tapes on the ground.



Dr. Mazhar Hayat from the Ministry of Water Resources put forward some suggestions in this regard. He stated that we need to go through these treaties and their requirements and tally these requirements with the government's situation and how far has the government complied with it. He added that implementation of these conventions is highly capital/institutional-intensive, so there was a need for urgent re-allocation of resources and manpower.



Senator Seemi Ezdi

- Seemi Ezdi is a member of Senate tenure is from March 2018 to 2021
- Chairperson Senate Standing Committee on
- Change.
- General Secretary PTI Central



STRATEGIC RECOMMENDATIONS

1. Support efforts to establish a national database for accurate and reliable data on compliance with international treaties concerning environmental protection. Advocate for compulsory reporting of the instances where owing to lack of monitoring, the relevant laws are not being followed. Collaborate with relevant stakeholders to ensure data collection and reporting mechanisms are in place.

2. Awareness Campaigns and Community Engagement: Engage in awareness campaigns targeting both the general public and the policy makers to raise awareness about the need to protect the environment from harmful practices. Utilise creative and user-friendly methods to effectively communicate key messages. Collaborate with media organisations, schools, and community groups to reach a wider audience.

3. Synergies with International Conventions: Identify opportunities to align national efforts with international conventions. Consider sharing experiences and best practices with other countries to strengthen environmental protection frameworks.

4. Collaboration with Civil Society: Foster collaboration with civil society organisations working on issues of climate change and promoting the protection of the environment. Exchange knowledge, share resources, and jointly advocate for policy changes and implementation.



5. As an organisation, we can actively engage in these areas to ensure the protection of the environment from effects of climate change. By getting involved with the relevant stakeholders, we can promote sustainable use of natural resources, protect biodiversity and help in reducing the damage caused to our ecosystem.





The GSP+ and Pakistan's National Security Policy

We had the honour to be addressed by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ms. Fionnuala D. Ní Aoláin, in advance of the session on National Security. Ms. Aoláin spoke at length about Pakistan's National Security Policy (NSP) 2022-26 and the changes it has brought about to a traditionally military oriented security approach. Applauding the fact that the NSP acknowledged the economy and the citizen as the heart of the state's security and wellbeing, she stressed the importance of fully implementing this policy in a meaningful way, and not just leave it as a pretty piece of paper. Ms. Aoláin provided recommendations for improvements in the NSP as well, such as the need to integrate civil and political rights in this policy, for cooperation between intelligence and defence, inclusion of civil society in countering terrorism finance and countering terrorism through the use of modern technology. Concluding her opening remarks, the Special Rapporteur highlighted the importance of protecting civil society and allowing it to flourish as the state's partner in national security, not its target.

The panel, moderated by journalist Ejaz Haider, began with Federal Minister for Energy Khurram Dastgir Khan speaking about his time lobbying for the GSP+ in 2013 as Federal Minister for Commerce. He said that despite numerous challenges to Pakistan's democracy and a war on terrorism, Pakistan had still managed to create space for progressive legislation, increased independence and power of the judiciary and landmark protections for vulnerable people. He said a large part of the credit for this could be attributed to the GSP+. He said this scheme was an incentive not a reward, a process not an event. Mr. Dastgir

highlighted the fact that the NSP and its progressive outlook was a direct result of Pakistan's progress under the GSP+, and while there was still some way to go in fulfilling international obligations, the past decade has seen considerable reform. As such, he hoped that the case would be made confidently and cogently to the EU in the reapplication process that this agreement has helped build a stable democratic foundation in the country.

Dr. Moeed Yusuf, former National Security Advisor of Pakistan, spoke about the need for us as a country to move away from the narrative of the world being against us. Saying that the current NSP was an effort begun in 2013 and finalised in 2021, it was larger than any single government or political party and symbolic of a genuine shift towards the promotion and security of vulnerable citizens.

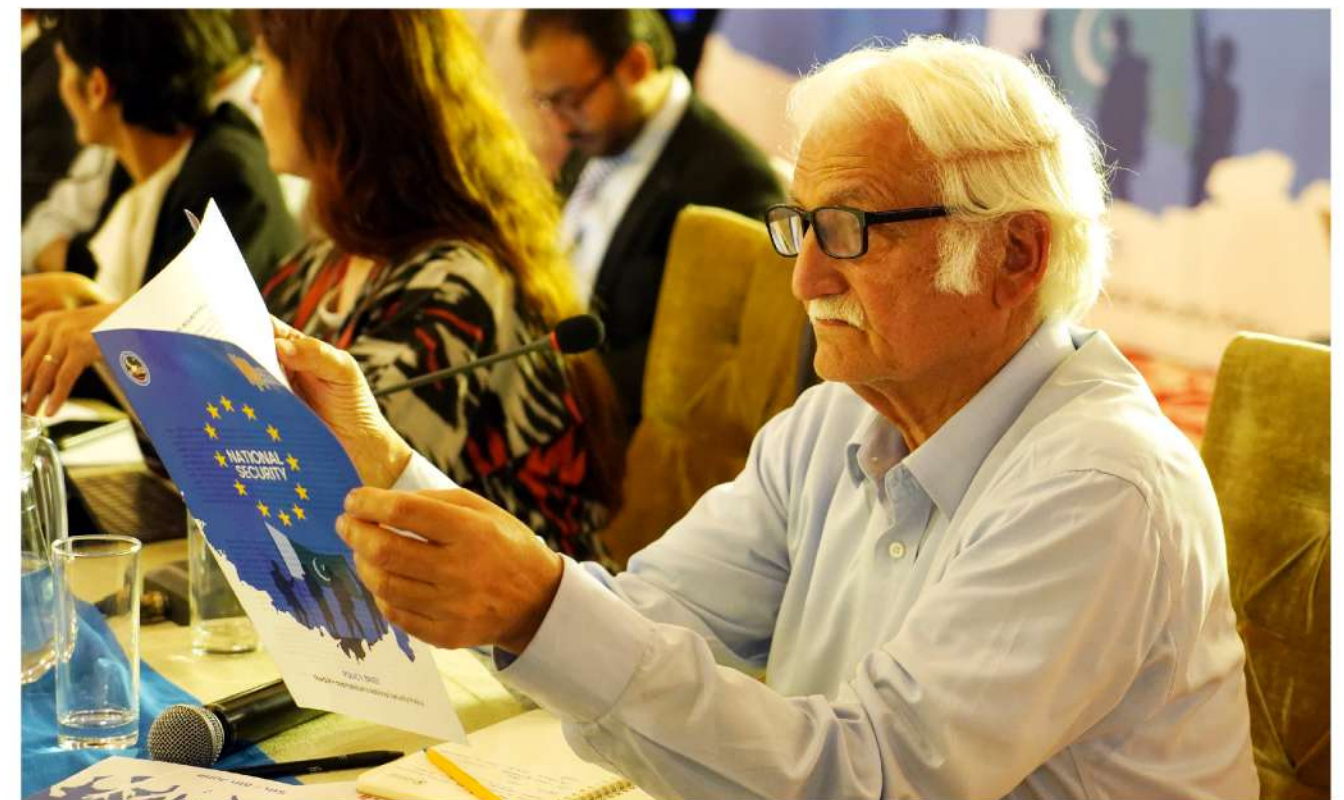
Dr. Yusuf stated that economic security was our priority, and that Pakistan needed to become an integrated player in the global economy by shifting towards development partnerships as opposed to assistance partnerships, increasing economic diplomacy and cementing internal and neighbourhood security.

Professor Dr. Farhan Siddiqi of Quaid e Azam University highlighted Pakistan's major issues it has historically faced regarding national security, and the progress that has been made. He first stated that the absence of any written policy was extremely detrimental, and by drafting the NSP, the state was moving beyond the traditional hard security approach and acknowledging the primacy of economic and human security. He highlighted the need for increased national cohesion by accepting the diversity within Pakistan, and the need to peacefully resolve internal conflicts including ethnic nationalist movements in the country.



STRATEGIC RECOMMENDATIONS

1. Continue to fulfil international human rights obligations in order to successfully re-apply for the GSP+, as this agreement has been hugely beneficial for promotion of sustainable development, rule of law and good governance in Pakistan.
2. Ensure full implementation of the National Security Policy 2022-26, focusing on economic and human security as the cornerstone of the state's security.
3. Build capacity on a federal and provincial level to improve implementation of progressive legislation passed in recent years.





Pakistan's Compliance with Article 6: The Right to Life (ICCPR)

The high-level consultation started with the keynote address from Honourable Mr. Justice Syed Mansoor Ali Shah, addressing the audience, emphasised the judiciary's perspective on governance and human rights in Pakistan. He highlighted the importance of complying with the 27 international conventions required for GSP+ status, which provides trade incentives and preferential access to European markets. The judiciary plays a crucial role in enforcing these conventions through an effective legal system. Pakistan's constitutional values, including democracy, freedom, equality, tolerance, and social justice, align with the rights enshrined in these conventions. Justice Shah discussed various areas of jurisprudence, including climate justice, urban development, good governance, criminal justice, tolerance, bail rights, mental health, gender sensitivity, disability rights, and labour rights.

He highlighted several notable judgments that reflect the judiciary's commitment to upholding human rights. These include cases related to climate justice, where the court considered the rights of local communities and emphasised the importance of sustainable development. He mentioned cases addressing good governance, such as the requirement for open and competitive processes in appointing citizens to honorary public offices. In the realm of criminal justice, the court recognized the significance of scientific evidence, particularly DNA, in ensuring fair trials and the pursuit of truth. The Honourable Justice also discussed landmark judgments related to gender sensitivity, abolishing the degrading "two-finger test" and advocating against gender-based discrimination in the workplace. Additionally, the court's stance on blasphemy cases emphasised constitutional values of social justice and tolerance.

Notably, the paradigm shift from charity to a rights-based approach in disability cases was highlighted, along with the importance of ensuring economic well-being and minimum wages for workers. He further stated that the courts in Pakistan often referred to international conventions and constitutional values in their decisions, ensuring the implementation, enforcement, and monitoring of rights mirrored in both the conventions and the constitution.

Sharing the findings of the Policy Brief, Sana Farrukh of JPP said that there had been notable developments and changes in Pakistan's approach towards the death penalty. Since December 2019, there have been zero executions, indicating a shift in the approach and progression from the judiciary. She spoke about the significant decisions of the Supreme Court of Pakistan in this regard, such as banning the execution of people with mental illness and prohibiting death sentences for juvenile cases. Lastly, she framed strategic recommendations on reducing the number of capital crimes, reforming the mercy petitions regime, narrowing the reach of the Anti-Terrorism Act, protecting Pakistanis on death row overseas + publishing disaggregated, detailed data on the death penalty.



Ms. Christine Chung, South Asia Team Lead at the OHCHR, stressed that state parties must consider acceding to the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR). Ms. Chung also emphasised the need for the death penalty to be reserved for the most serious crimes, such as intentional killing, and argued against its imposition on mentally ill prisoners and juveniles. She highlighted the international consensus on defining the most serious crimes, including intentional killing, attempted murder, and armed rivalry, as recognized by the committee.

During the panel discussion, Sarah Belal raised the question of the international human rights standard for defining the most serious crimes, which she noted is also reflected in the Quran. On the international and Quranic standard, particularly in relation to the absence of a mandatory requirement for mercy in the Quranic standard, Muaz discussed that in Islamic law, the concept of siyasah allowed the government to determine who should receive the death penalty. On the congruity between Quranic and international law standard on the death penalty, Syed Muaz Shah said there was a need to bring on the ulema into initiatives like this, so that they could contribute towards the development of human rights, which are already enshrined in Islamic law. Mr. Shah also mentioned the significance of the standard of evidence in Islam, where punishment should be avoided in cases of doubt, aligning with the principle of innocence until proven guilty.

Rabiya Javeri, Chairperson National Commission on Human Rights, shed light on the significance of mercy petitions and their historical neglect. She highlighted the collaborative efforts of civil society in developing a comprehensive document that addresses

this issue. She stressed the need for a meaningful procedure in exercising the right to mercy, emphasising that clear and written standards should be established to define what constitutes a mercy petition.

In her closing remarks, Her Excellency Ms. Riina Kionka, the EU Ambassador to Pakistan, emphasised that the GSP+ initiative was the right step at the right moment. She acknowledged the positive impact of GSP+ on both the economic and human rights fronts in Pakistan, emphasising that it has proven to be a beneficial mechanism. Ms. Kionka highlighted the voluntary commitment of Pakistan to undertake its obligations under GSP+, emphasising the importance of such dialogues.

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"two-finger test" and advocating against gender-based discrimination in the workplace. Additionally, the court's stance on blasphemy cases emphasised constitutional values of social justice and tolerance. Notably, the paradigm shift from charity to a rights-based approach in disability cases was highlighted, along with the importance of ensuring economic well-being and minimum wages for workers. He further stated that the courts in Pakistan often referred to international conventions and constitutional values in their decisions, ensuring the implementation, enforcement, and monitoring of rights mirrored in both the conventions and the constitution.

Sharing the findings of the Policy Brief, Sana Farukh of JPP said that there had been notable developments and changes in Pakistan's approach towards the death penalty. Since December 2019, there have been zero executions, indicating a shift in the approach and progression from the judiciary. She spoke about the significant decisions of the Supreme Court of Pakistan in this regard, such as banning the execution of people with mental illness and prohibiting death sentences for juvenile cases. Lastly, she framed strategic recommendations on reducing the number of capital crimes, reforming the mercy petitions regime, narrowing the reach of the Anti-Terrorism Act, protecting Pakistanis on death row overseas + publishing disaggregated, detailed data on the death penalty.

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STRATEGIC RECOMMENDATIONS

1. Initiate a legislative process to revise the list of offences punishable by death and consider the removal of the death penalty for non-lethal offences such as perjury, stripping a woman, and kidnapping for unnatural lust in order to bring Pakistan's application of the death penalty one step closer to the 'most serious crimes' threshold.
2. Enact legislation explicitly prohibiting the imposition of the death penalty against persons with severe psychosocial disabilities, even if the disability is diagnosed post-conviction and sentencing, in line with the Supreme Court's directives in *Safia Bano*.
3. Establish independent medical boards in all provinces to look into assertions of psychosocial disability by defendants and to ensure that a defendant or prisoner with such a disability receives reasonable accommodations in judicial proceedings and in detention.
4. Conduct comprehensive mental health evaluations, in line with international best practices, of all prisoners on death row who exhibit signs of mental illness, with a view to commuting their sentences in line with the decision in *Safia Bano*.
5. Conduct age determination of all juvenile offenders still languishing on death row in line with the Presidential Notification No. F.8/41/2001-Ptns dated 13 December 2001, the Juvenile Justice Systems Ordinance 2000, the Juvenile Justice Systems Act, 2018, and the precedents of Superior Courts in the cases of



Muhammad Iqbal and Muhammad Anwar, with a view to commuting their sentences to life imprisonment.

6. Reduce the scope of the definition of "terrorism" under the Anti-Terrorism Act and ensure that only those crimes that pertain to terrorism, militancy or organised terrorist outfits are tried by the Anti-Terrorism Courts.
7. Initiate an inquiry into all cases wherein the defendant has been sentenced to death under the ATA with a view to commuting the sentences in the event that a misapplication of the law is discovered. During the course of such an inquiry the moratorium on the death penalty should be reinstated.
8. Repeal provisions awarding powers of search and seizure to police without warrants and ensure that procedural safeguards in line with the ICCPR are introduced.

9. Repeal Section 21-H of the Act, and introduce provisions barring the admissibility of confessions/statements recorded in the custody of police.
10. Introduce guidelines for judges to ensure that a compromise in a coordinate compoundable offence is treated as a mitigating factor when considering the compounding of offences under the ATA, and that where any other mitigating factor co-exists, the prisoner is given the benefit of the commutation of his sentence.
11. Formulate comprehensive rules for the mercy petition submission and review procedure, in line with international standards, which provide prisoners with a meaningful opportunity to seek clemency to ensure transparency, certainty, due process and objectivity.
12. Make mandatory the inclusion of complete and updated medical records of death row convicts in all mercy petitions by jail authorities.
13. Table the now lapsed draft Criminal Law Reforms Bill 2022 as a new Bill in Parliament to enact the mercy petition reforms proposed therein into the law.

14. Initiate a review of all cases where outstanding questions regarding the juvenility, mental illness and physical disability of the accused have been raised with a view to commuting their sentences.

15. Repeal the Anti Terrorism Act 1997 provision that bars persons convicted under the Act from seeking remissions in order to counter the blanket policy of refusing clemency that has been put in place in the aftermath of the ATA.

16. Pass a uniform consular protection policy to ensure that the rights of Pakistani citizens imprisoned abroad and/or facing execution are upheld and that every possible effort is made to secure their release/repatriation.

17. Implement existing Prisoner Transfer Agreements to secure the repatriation of Pakistani nationals imprisoned in foreign jails.

18. Negotiate Prisoner Transfer Agreements with all countries where a large number of Pakistanis reside.

19. Publish data on the number of offences carrying the death penalty, in line with the ECOSOC Resolution 1989/64.

20. Maintain and publish disaggregated data on the use of the death penalty, including the number of persons sentenced to death, the number of executions carried out, the number of death sentences reversed or commuted on appeal, and the number of instances in which clemency has been granted.

21. Document the extent to which the safeguards for rights of people facing the death penalty are incorporated in national law.





SPEAKERS



Dr. Ewa Synowiec
Principal Adviser European
Commission DG trade



The Honourable
Mr. Justice Anwaar Hussain
Lahore High Court



Mr. Azam Nazeer Tarrar
Honourable Federal Minister
of Law and Justice



Miss Seemee Ezdi
Chairperson Senate Standing
Committee on Climate Change



Ms. Fionnuala D. Ní Aoláin
Special Rapporteur on the Promotion
and Protection of Human Rights
and Fundamental Freedoms
while countering terrorism



Mr. Khurram Dastgir Khan
Federal Minister for Energy



Mr. Justice Syed Mansoor
Ali Shah Honourable
Supreme Court of Pakistan



Rabiya Javeri
Chairperson National Commission
on Human Rights



H.E. Ms. Riina Kionka
EU Ambassador to Pakistan



Barrister Sarah Belal
Executive Director
Justice Project Pakistan



Mr. Saqib Sultan
Director General of the
Federal Investigation Agency



Dr. Khurram Sohail Raja
Forensic Medical Expert



Ms. Fauzia Viqar, Federal Ombudsperson
for the Protection of Women
Against Harassment at the Workplace



Mr. Aamir Zulfiqar
Inspector General of Police



Professor Dr. Farhan Siddiqi
Quaid e Azam University



Reem Sharif
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Senior Programme Officer
International Labour Organization



Mr. Asad Mehmood
Deputy General Secretary
Pakistan Workers' Federation



Mr. Afzal Butt
President Pakistan Federal
Union of Journalists



Mr. Karim Kettani
Head of Contracts, Finance, and
Audit at the European Union
Mission in Pakistan



Mr. Ejaz Haider
Senior Journalist



Ayesha Raza Farooq
Chairperson of the National
Commission on the Rights of the Child



Ms. Erum Sattar
Environment and Water
Management Expert



Sana Farrukh
Team Lead Advocacy JPP



Mr. Iqbal Dheto
Chairman of the Sindh
Commission on Human Rights



Dr. Moeed Yusuf
Former National Security
Advisor of Pakistan



Mr. Miqdad Mehdi
Juvenile Justice Expert



Dr. Ilhan Niaz
Professor of History
Quaid-e-Azam University



Barrister Rafay Alam
Environmental Law Expert



Chaudhry Shafique
Executive Director PCHR



Barrister Ahmed Pansota

Closing Remarks

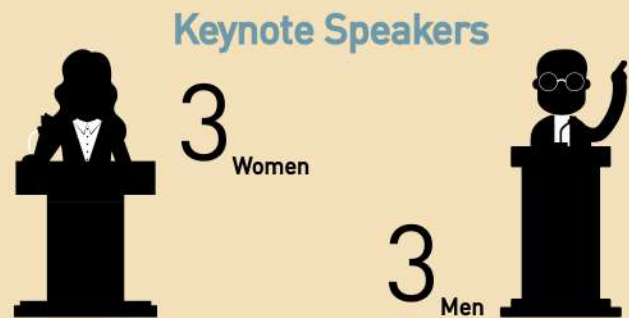
H.E. Ms. Riina Kionka, EU Ambassador to Pakistan

Dr. Riina Kionka, the Ambassador and Head of the Delegation of the European Union to Pakistan, opened her closing remarks for GSP+ week by stating, "Thank you to JPP and PCHR for spearheading this important initiative. GSP+ has proven to be beneficial for Pakistan, both in terms of economic growth and human rights advancements. It now falls upon the EU to determine whether the progress made thus far is sufficient for Pakistan's continued participation in the program. Pakistan willingly and voluntarily embraced these obligations, without any external directives. Hence, the significance of such consultations cannot be overstated. The EU will assess the credibility and adequacy of the implemented measures. Pakistan is aware of the prevailing perception challenges, including concerns related to trials under the Army Act, allegations of arbitrary detention, rape, torture, and censorship. These issues will undoubtedly influence the deliberations surrounding Pakistan's reapplication to the program."

In summary, she emphasized, "This initiative is timely and appropriate. GSP+ has proven its efficacy in both promoting economic growth and upholding human rights in Pakistan. Pakistan has voluntarily assumed the responsibility of fulfilling the obligations, without external imposition. Therefore, meaningful dialogue like this holds great significance. Given the current circumstances, Pakistan acknowledges the existing perception challenges."



GSP + WEEK



HIGH LEVEL CONSULTATIONS

283 PARTICIPANTS



PARTICIPANT STATISTICS

PANELISTS



27 PANELISTS

MEN 17

WOMEN 10

ONLINE STREAMING



194 Views

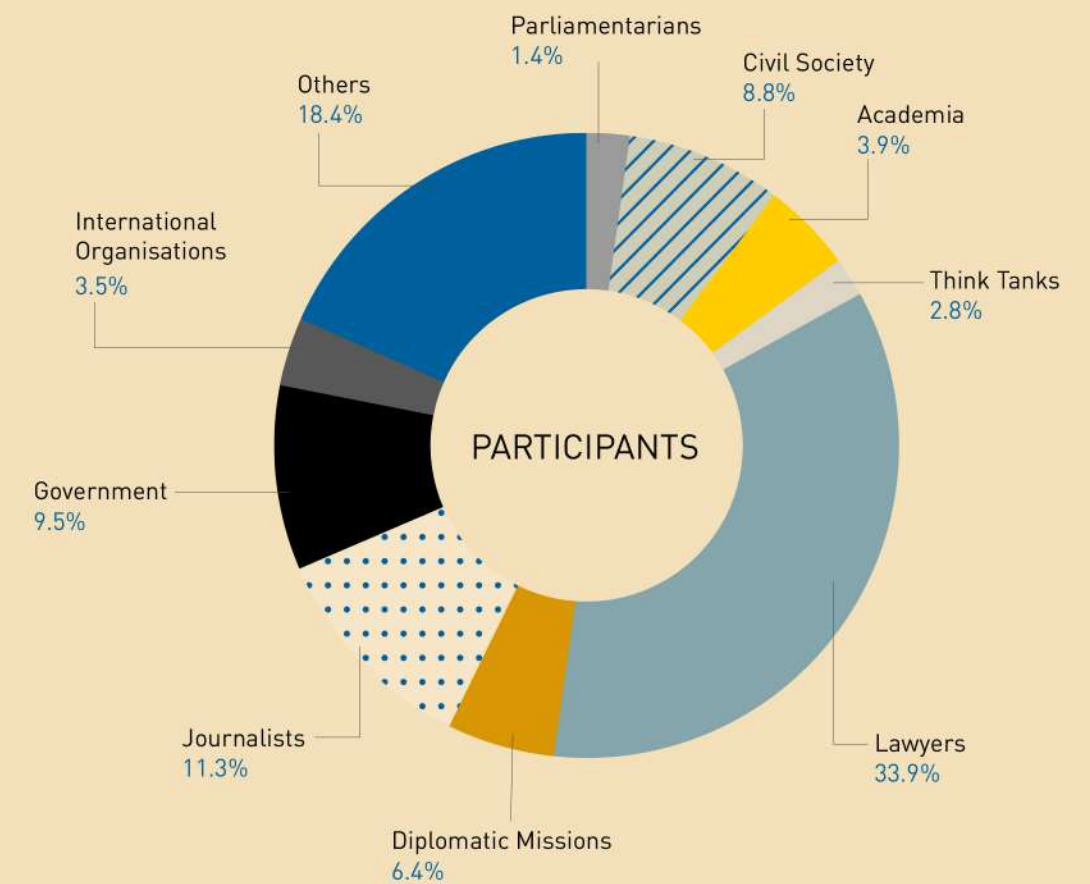
Livestream links were only shared with select international and domestic partners

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